

Shaun Mulholland
Town Manager

Kellie Caron
Deputy Town Manager



Town Council
Ron Dunn, Chair
Shawn Faber, Vice-Chair
Ted Combes
Dan Bouchard
Deb Paul

Town of Londonderry • 268B Mammoth Road • Londonderry, NH 03053

Londonderry Town Council Meeting
Monday, March 16, 2026, 7 p.m., Moose Hill Council Chambers

A. CALL TO ORDER

B. ORGANIZATIONAL MEETING

1. Elect officers
2. Review Town Council Rules of Order
3. Review Public Comment Policy

Documents:

[2026-03-16 ORGANIZATIONAL MEETING COVER SHEET.PDF](#)
[2026-03-16 TOWN COUNCIL RULES OF ORDER \(REV 2025-07-07\).PDF](#)
[2026-03-16 TOWN COUNCIL RULES OF PROCEDURE FOR PUBLIC COMMENT \(REV 2025-04-21\).PDF](#)

C. PUBLIC COMMENT

D. BOARD APPOINTMENTS & REAPPOINTMENTS

1. Appointment of Tax Collector

Documents:

[ALLISON PARSONS TAX COLLECTOR CONTRACT 2026-27_REDACTED.PDF](#)
[SALARY COMPARISON.XLSX](#)
[TAX COLLECTOR JOB DESCRIPTION - MAY 2021.PDF](#)

2. Appointment of Fire Chief James Young as Emergency Management Director

Documents:

[2026-03-16 EMERGENCY MANAGEMENT DIRECTOR COVER SHEET.PDF](#)
[NH RSA 21-P 39.PDF](#)

E. PUBLIC HEARING

1. None

F. NEW BUSINESS

1. Discuss and schedule a public hearing for April 6, 2026 to repeal TC-901 Financial Management Policy, formerly Chapter XVII of Title VI-Town Policy of the Municipal Code.

(Shaun Mulholland, Town Manager)

Documents:

[2026-03-16 REPEAL TC 901 COVER SHEET.PDF](#)
[TC-901 FINANCIAL MANAGEMENT POLICY.PDF](#)

2. Discuss and schedule a public hearing for April 6, 2026 to adopt TC-100 Cash Management and Investment Policy.

(Shaun Mulholland, Town Manager)

Documents:

[2026-03-16 TC-100 COVER SHEET.PDF](#)
[TC-100 CASH MANAGEMENT AND INVESTMENT POLICY.PDF](#)

- 3. Discuss and schedule a public hearing for April 6, 2026 regarding the proposed revision to the Municipal Code, repealing Chapters I & II of Title V, and adopting Chapter 4 Administrative Departments.**

(Kirsten Hildonen, Administrative Services Director)

Documents:

[2026-03-16 ADMIN CODE - DEPTS COVER SHEET.PDF](#)
[CHAPTER 4 ADMINISTRATIVE DEPARTMENTS FINAL DRAFT.PDF](#)
[CHAPTER 4 APPENDIX-ADMIN DEPTS.PDF](#)
[CHAPTER I ADMINISTRATIVE CODE-LEGAL BASIS DEPTS\(PDF\).PDF](#)
[CHAPTER II ADMINISTRATIVE CODE-DEPARTMENTS\(PDF\).PDF](#)
[ORDINANCE 2026-04 AMEND ADMIN CODE DEPT.PDF](#)

- 4. Discuss and schedule a public hearing for April 6, 2026 to adopt TC-105 Use of Legal Counsel Policy.**

(Shaun Mulholland, Town Manager)

Documents:

[2026-03-16 TC-105 COVER SHEET.PDF](#)
[TC-105 USE OF LEGAL COUNSEL POLICY_DRAFT.PDF](#)

G. OLD BUSINESS

- 1. Discuss and schedule a public hearing for April 6, 2026 regarding the proposed revision to the Municipal Code, repealing Title I, Chapter XXIX, and adopting Chapter 20 Code of Ethics.**

(Kirsten Hildonen, Administrative Services Director)

Documents:

[2026-03-16 CODE OF ETHICS COVER SHEET.PDF](#)
[2026-03-16 CHAPTER 20 ETHICS FINAL DRAFT.PDF](#)
[2026-03-16 TITLE I CHAPTER XXIX CODE OF ETHICS.PDF](#)

H. APPROVAL OF CONSENT ITEMS

- 1. Town Council Meeting Minutes from March 2, 2026**

Documents:

[TC-MINUTES-2026-03-02.PDF](#)

I. OTHER BUSINESS

- 1. Liaison Reports**
- 2. Town Manager Report**
- 3. Deputy Town Manager Report**

J. PUBLIC COMMENT

K. ADJOURNMENT

L. MEETING SCHEDULE

- 1. Proposed Future Agenda Items: Dates may be tentative, and this list is not considered all-inclusive**

- a. March 31, 2026; Moose Hill Council Chambers; 6:30 p.m.**

Strategic Plan Workshop

- b. April 6, 2026; Moose Hill Council Chambers; 7 p.m.**

- **Public Hearing:** Receive public input, discuss and act upon the proposed revision to the Municipal Code, repealing Title I, Chapter XXIX, and adopting Chapter 20 Code of Ethics

- **Public Hearing:** Receive public input, discuss and act upon the proposed revision to the Municipal Code, repealing Chapters I & II of Title V, and adopting Chapter 4 Administrative Departments
- **Public Hearing:** Receive public input, discuss, and repeal TC-901, formerly Chapter XVII of Title VI-Town Policy of the Municipal Code
- **Public Hearing:** Receive public input, discuss and adopt TC-100 Cash Management and Investment Policy
- **Public Hearing:** Receive public input, discuss and adopt TC-105 Use of Legal Counsel
- Discuss and schedule a public hearing for April 20, 2026 regarding a proposed revision to the Municipal Code, repealing Chapter III of Title V, and adopting Chapter 10 Boards, Committees, and Commissions
- Discuss and schedule a public hearing for April 20, 2026 to act upon a revision to the Municipal Code, by adopting Chapter 15 Fees
- Discuss and schedule a public hearing on May 4, 2026 regarding a proposed revision to the Municipal Code, repealing Title II and adopting Chapter 152 Traffic Code
- Discuss and schedule a public hearing on May 4, 2026 to approve TC-103 Traffic Management Policy
- Discuss and schedule a public hearing for April 20, 2026 regarding a revision to the PUD regulations

c. April 20, 2026; Moose Hill Council Chambers; 7 p.m.

- **Public Hearing:** Receive public input, discuss, and act upon a proposed revision to the Municipal Code, repealing Chapter III of Title V, and adopting Chapter 10 Boards, Committees, and Commissions
- **Public Hearing:** Receive public input, discuss, and act upon a revision to the Municipal Code, by adopting Chapter 15 Fees
- **Public Hearing:** Receive public input, discuss, and act upon a proposed revision to the PUD regulations
- Quarterly Budget Status Review
- Discuss and schedule a public hearing on a revision to the Municipal Code, adopting Chapter XX Fire Prevention

d. April 22, 2026; Moose Hill Council Chambers,; 6:30 p.m.

Strategic Plan Workshop

In addition to the items listed on the agenda the Town Council may consider other matters not on the posted agenda and may enter a



non-public session or convene in a non-meeting in accordance with RSA 91-A if the need arises.

View the most recent

Town Council agenda online.



Town of Londonderry, New Hampshire
268B Mammoth Road • Londonderry, NH 03053
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Town Council Meeting – Agenda Item Coversheet

Meeting Date: 3/16/2026

Submitted By: Kirsten Hildonen

Department: Town Manager's Office

Contact Information: khildonen@londonderrynh.gov

Estimated Discussion Time: Minutes

Agenda Item Title: Organizational Meeting

Background and Purpose: In accordance with the Londonderry Town Charter Section 3.2 A, Councilors must meet within ten calendar days following an election to adopt rules and select a Chair and Vice Chair. Therefore, before proceeding with the regular business agenda on the March 26, 2026 meeting, the Council should do the following:

- 1) Elect a Chair and Vice Chair to serve as such through the organizational meeting following the March 9, 2027 Town election; and
- 2) Review Section IV of Title I, Chapter V of the Municipal Code for any proposed changes to the Rules of Order for the Town Council, and schedule a public hearing if any such changes are proposed; and
- 3) Review the Town Council Rules of Procedure for Public Comment, make any changes, and vote to adopt said changes.

Action: Please see above

Proposed Motion:

Election of Officers:

I nominate _____ as Chair of the Londonderry Town Council. (requires a second and majority vote)

I nominate _____ as Vice Chair of the Londonderry Town Council. (requires a second and majority vote)

Town Council Rules of Order (if changes are proposed):

MOVED that the Londonderry Town Council schedule a public hearing on April 6, 2026 at 7 p.m. in the Moose Hill Chambers at the Londonderry Town Hall to amend Section IV of Title I, Chapter V of the Municipal Code containing the Town Council Rule of Order.

Town Council Rules of Procedure for Public Comment (if changes are made):

MOVED that the Londonderry Town Council adopt and implement the Town Council Rules of Procedure for Public Comment as amended.

Attachments: Town Council Rules of Order (Title I, Chapter V, Section IV of the Municipal Code); Town Council Rules of Procedure for Public Comment

A. PURPOSE:

Pursuant to Section 3.6 D of the Town Charter, these Rules of Order describe the duties and methods of operation of the Londonderry Town Council.

B. ORGANIZATION:

1. Responsibilities of Members:

All members shall make every effort to attend each scheduled meeting.

The Council shall act in all matters as a body. Except as expressly provided elsewhere in this Charter, neither the Council nor any of its members shall direct or request the appointment of any person to office or employment; or direct the removal, suspension, discipline, adjustment in pay, benefits, or working conditions of any employee by the Manager or of any of the Town department heads.

No Councilor shall give orders to or interfere with the performance of the duties of any of the administrative officers or employees, either publicly or privately. Nothing contained in this section shall prohibit the Council from meeting with the Manager to discuss the operation or conduct of any department head or employee and to recommend an investigation and report by the Manager of any complaint. Any violation of the provisions of this section by a Councilor shall constitute grounds for forfeiture of office under the provisions of Town Charter Section 3.3. (*Charter, Section 4.8*)

2. Officers:

- (a) Election - A Chair and Vice-Chair shall be elected for a term of one (1) year at the first regular meeting within 10 calendar days following the annual election of officers. Election shall be by a majority vote of those present. (*Charter, Section 3.2*)

Vacancies occurring in the office of Councilor at any time shall be filled, by appointment, until the next regular election, by the Council at its next regular meeting by majority vote of the Councilors, provided, however, that, if the vacancy occurs fewer than ninety (90) days prior to the next regular election, the vacancy shall not be filled by appointment, but shall be filled at the next regular election. (*Charter, Section 3.4*)

- (b) Duties - The Chair shall preside at all meetings of the Council and perform all duties required by law. In the absence of the Chair, the Vice-Chair shall preside and assume all duties and responsibilities of the Chair.

3. Committees:

The Council will meet at the Organizational Meeting and select the Committees they serve on. If the Councilors cannot agree, the assignments will be made by the Chair.

C. OPERATION:

1. Meetings:

- (a) Organizational Meetings - An organizational meeting to elect officers shall be held in accordance with B.2(a). The Council may adopt the previous Council's Rules of Procedure, subject to amendment as provided in these Rules of Procedure. The Council shall establish a schedule for meetings.
- (b) Regular Meetings - A formal meeting of the Council generally conducted in accordance with the order of the "Agenda" contained herein.
- (c) Workshop Meetings - A less formalized meeting of the Council generally conducted for the purpose of providing Council members with a more detailed understanding of a limited number of issues or to permit discussion of issues in greater depth.
- (d) Non-Public Meetings - A meeting of the Council held in accordance with RSA 91-A:3.
- (e) Special Meetings - May be called by the Chairman upon the written request of at least three (3) members of the Council or the Town Manager through the Chair. The method of delivery of notice for special meetings shall be by established Council rule. (Charter, Section 3.6 C)
- (f) Emergency Meetings - May be called by the Chair when immediate un-delayed action is deemed to be imperative by the Chair, who shall employ whatever means are reasonably available to inform the public and all Council members that an emergency meeting is to be held. (Charter, Section 3.6 C)
- (g) Committee Meetings - Meetings shall be called by the Chair of the committee under the rules governing special meetings.

2. Schedule of Meetings:

The Council meeting shall be published on the Town's website. Each meeting shall be posted in accordance with RSA 91-A.

3. Reports of Committees:

Written reports from committees received by the Council shall be included in the agenda packet for the meeting at which they are presenting. If no written report is made available, a summary of any oral reports made by a committee shall be included in the meeting minutes.

4. Review of Audit Reports:

The Council shall review the audit report as soon as the report is made available and take any action related thereto.

- 5. Town Manager:**
Annually, the Town Council is responsible for evaluating the job performance of the Town Manager. It is the Chair's responsibility to coordinate the evaluation, including obtaining input from the other members of the Council, aggregating that information, and presenting to the Council a comprehensive draft of the evaluation document. The Town Council shall complete the final evaluation document during the budgetary process.
(Charter, Section 4.2)

The final evaluation document shall remain on file with the Human Resources Director.

D. RULES OF ORDER:

- 1. Quorum:**
A quorum of the Council for the transaction of any business shall be three (3) of the members currently in office. However, a smaller number may adjourn the meeting to another time or date. *(Charter, Section 3.6.B)*
- 2. Agenda:**
Shall be published and included in the minutes. A suggested agenda is provided below. It may be changed by the chair or by vote of the Council.

AGENDA

- Call to Order
- Public Comment
- Board / Committee Appointments & Reappointments
- Public Hearing
- Old Business
- New Business
- Meeting Minutes
- Other Business
- Liaison Reports
- Town Manager's Report
- Public Comment
- Adjourn

- 3. Agenda Item Requests:**
- (a) **Requests by Town Councilors**
- (i) Any Town Councilor may request the inclusion of an item on a future Town Council meeting agenda. Such requests should be submitted in writing to the Town Manager via the Agenda Item Request Form at least ten (10) days prior to the desired meeting date.
- (ii) The Council Chair, in consultation with the Town Manager, will determine the appropriateness and timing of the requested agenda item.

(b) Requests by Members of the Public

- (i) Residents or stakeholders may request the addition of items to the Town Council agenda by submitting a written request via the Agenda Item Request Form to a Town Councilor, who may at their discretion submit the agenda request in accordance with Subsection A above.
- (ii) Requests should be submitted at least ten (10) days before the meeting at which the item is proposed to be discussed.
- (iii) The request must include:
 - The name and contact information of the requester.
 - A clear and concise description of the proposed agenda item.
 - The purpose or objective of including the item on the agenda.
 - Any supporting documentation that the requestor plans to present or provide to the Town Council.
- (iv) The Town Manager will inform the requester of the decision regarding their agenda item request and what date the matter will be on the Town Council agenda.

(c) General Provisions

- (i) The Town Council reserves the right to limit the number of public-requested items per meeting to ensure efficient conduct of business.
- (ii) The Town Council may refer certain requests to appropriate committees, boards, or departments for further review before inclusion on the agenda.
- (iii) This provision does not restrict the public's right to speak during designated public comment periods.
- (iv) Items of an urgent nature which require special attention or are in need of immediate action by the Council may be placed on any agenda at the discretion of the Town Manager or Council Chair.

4. Role of the Chair:

The Chair's duties are as follows:

- To open the session at the time at which the Council is to meet by calling the members to order;
- to announce the business before the Council in the order in which it is to be acted upon;
- to recognize members entitled to the floor;
- to state and put to vote all the questions which are regularly called or necessarily arise during the proceedings and to announce the result of the vote;
- to protect the Council from annoyance;

- to assist in expediting all business in every way compatible with the rights of the members, as by allowing brief remarks when un-debatable motions are pending or by calling a brief recess to permit restoration of order or clarification of an obscure point if the Chair thinks it advisable;
- to restrain the members when engaged in debate within the rules or order;
- to enforce on all occasions the observance of order and decorum among the members, deciding all questions of order (subject to an appeal by any two (2) members) unless the Chair prefers to submit the question for the decision of the Council;
- to inform the Council on a point of order or practice pertinent to pending business; and
- to authenticate by their signature, when necessary, all resolutions, orders and ordinances as directed by vote of the Council.

The Chair shall direct the Town Manager's office to issue calls for candidates and specify dates for return of applications for positions appointed by the Council.

The Chair shall vote as a member of the Council.

Discussions which do not address the business before the Council, or which are conducted in a disorderly or disrespectful manner, shall be ruled out of order. The Chair shall take whatever action is necessary to achieve and maintain order, including ordering the removal of any person who continues disorderly conduct.

5. Role of the Vice-Chair:

Please see section B.2(b) above.

6. Conduct of Meetings:

Meetings shall be conducted in accordance with generally accepted practices of order and decorum. In the event of dispute regarding procedural matters a vote of the Council shall be the final deciding authority.

- (a) Motions - All matters of business shall be brought before the Council by motion from a Councilor, duly seconded by another Councilor. All matters duly seconded will be subject to debate, discussion, amendment (by motion) and approval by a majority of the present Councilors. (*Charter, Section 3.6 A, D*)
- (b) Motion to Table - A Councilor may move to table any pending matter of business. The motion to table shall be seconded and requires approval by a majority of the present Councilors. The motion is not debatable. Approval of the motion is equivalent to defeating the question tabled. Successive motions to table a matter of business previously voted on and defeated shall not be permitted. (*Charter, Section 3.6 A, D*)

- (c) Motion to Reconsider - A Councilor who voted on the prevailing side in the original vote on a motion may make a motion to reconsider that vote. A motion to reconsider may only be made during the same meeting that the vote whose reconsideration is sought passed. A motion to reconsider, made by a Councilor who was on the prevailing side, shall be seconded (by any Councilor) and is debatable. The motion to reconsider requires approval of a majority of the present Councilors. (*Charter, Section 3.6 A, D*)

7. Council Objection:

On the first occasion that the question on adoption of a measure is put to the Council, if a single Councilor objects to the taking of the vote, the vote shall be postponed until the next regular meeting. This procedure shall not be used more than once for any agenda item. Any item once postponed shall not be further postponed under this section. The Council objection privilege is not available with respect to the emergency ordinance. (*Charter, Section 3.6 E*)

8. Ordinances:

- (a) An ordinance may be introduced by any member at any regular or special meeting of the Council. Upon introduction of any ordinance, a copy shall be distributed to each Councilor and to the Manager, and a reasonable number of copies shall be filed in the office of the Clerk and posted in such other public places as the Council may designate.
- (b) Every proposed ordinance of the Council shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one subject, which shall be clearly expressed in its title. Each ordinance shall be identified by a number and a short title. The enacting clause shall be "The Town of Londonderry ordains...". Any ordinance which repeals or amends an existing ordinance shall set out in full the ordinance, sections or subsections to be repealed or amended, and shall indicate matter to be omitted by enclosing it in brackets or by strikeout type and shall indicate new matter by underscoring or by italics. After passage of the ordinance's first reading, it shall be published at least once together with a notice of the time and place when and where it will be given a public hearing and be considered for final passage. The first such publication shall precede the date of said hearing by at least five (5) working days. Publication for purposes of this section shall mean the publication of a notice in any paper distributed in the Town of Londonderry, stating the number and title of the ordinance and either the text of the ordinance in full or if the full text is not published, then a brief explanation of the purpose of the ordinance and information as to where and when any interested person may obtain a copy of the complete ordinance.
- (c) Every ordinance, including zoning ordinances, adopted by referendum, shall take effect upon passage and publication as ordinances required by law, or at a later date as specified in the ordinance. No ordinance shall be introduced and adopted during the same meeting.

- (d) All ordinances, including any amendments thereto, shall be recorded in full, uniformly and permanently, by the Clerk, and each ordinance so recorded shall be authenticated by affixing the signatures of the Council Chair and the Clerk and the Town Seal, and kept on file in the office of the Clerk. The Clerk shall be responsible for the systematic indexing, printing, publication and maintenance of the ordinances of the Town. Copies of all ordinances shall be available to the public, and the Clerk may charge a fee to defray the printing costs. (*Charter, Section 3.7*)

9. Emergency Ordinances:

Notwithstanding other provisions of the Town Charter to meet a public emergency affecting life, health, property or the public peace, the Council may adopt one or more emergency ordinances, but such ordinances may not levy taxes, grant, renew or extend a franchise, regulate the rate charged by a public utility for its services or authorize the borrowing of money, except as provided in Section 3.9 of the Charter. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but two-thirds majority vote of the councilors present shall be required for adoption.

After its adoption the ordinance shall be published and printed as prescribed for other adopted ordinances. It shall become effective upon adoption. Every emergency ordinance, except one made pursuant to Sec. 3.10 of the Charter, shall automatically stand repealed as of the sixty-first (61st) day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances. (*Charter, Section 3.8*)

10. Recording of Votes:

Votes shall be by a voice vote or by a roll call. Every matter coming before the Council for action shall be put to a vote and all members shall vote “aye,” “nay,” or abstain and give a reason for abstaining. The results of such voting shall be duly recorded.

11. Requests for Information:

Should it become apparent to the Chair or an individual Council member, in the interim between meetings, that additional information relative to a specific item may be needed for Council use at the next regularly scheduled meeting, a request for this information shall be submitted to the Town Manager before the agenda is set.

Any information provided to any individual Councilor shall be provided to the rest of the Council.

E. EMPLOYEES:

1. Duties:

The Executive Assistant shall ensure the minutes of all Town Council meetings are recorded and that an official copy of all records remains on file in the Town Manager's office and open to inspection by any person at reasonable times. The Executive Assistant shall ensure the essentials called "the minutes" of the proceedings are recorded as follows:

- (a) The type of meeting - regular, special, work session, or recessed
- (b) Time of meeting and place of meeting
- (c) The presence / absence of Council members
- (d) Whether the minutes of the previous meeting were approved or amended
- (e) All main motions and points of order and appeals, whether sustained or lost, and all other motions that were not lost or withdrawn, including the identity of the Councilor who introduced said point, motion, second, or amendment
- (f) The results of any vote taken, including the number of votes and the names on each side if the vote is not unanimous
- (g) The hour of adjournment

In addition to the strict record of what is transacted, the public minutes should contain the list of speakers on each side of every question with an abstract of all relevant points. Reports of committees should be printed exactly as submitted. The minutes should show what action was taken by the Council in regard to them.

F. AMENDMENT PROCEDURE:

An amendment to these Rules of Procedure may be moved at one Council meeting but shall not be voted upon until the next regularly scheduled meeting, not less than seven (7) days later. A copy of any amendment shall then be certified and submitted to the Town Clerk for inclusion in the Town Records.

G. APPOINTMENT TO BOARDS AND COMMISSIONS:

- 1. The Chair shall request from members their choices of committees, Councils and commissions they wish to serve on as Councilor Liaison. The Chair shall distribute to the Council all choices and set a meeting date as to when the Chair shall make appointments.
- 2. The term of all appointments of Councilor Liaisons, including the terms of any ex-officio members (voting members) of the Town Council serving on local land use Boards (i.e., Planning Board, Heritage Commission) shall be for one (1) year, or until the Council's organizational meeting, whichever is sooner.



Town of Londonderry, New Hampshire

268B Mammoth Road • Londonderry, NH 03053

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RESOLUTION 2025-11

A Resolution Relative to
ADOPTING RULES OF ORDER FOR THE TOWN COUNCIL

WHEREAS the Title I, Chapter V of the Londonderry Municipal Code proscribes the procedure for conducting Town Council meetings; and

WHEREAS the Town Council last adopted revisions to Section IV of Title I, Chapter V on June 20, 2011; and,

WHEREAS Chapter I, Article 3, Section 3.6 D of the Londonderry Town Charter requires that the Town Council establish rules for its proceedings.

NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Londonderry hereby adopts the attached Rules of Order and amends Title I, Chapter V, Section IV to reflect the Rules of Order as adopted.

Sharon Farrell - Town Clerk

Ron Dunn - Chair
Town Council

A TRUE COPY ATTEST:
07/07/2025





Town of Londonderry, New Hampshire

268B Mammoth Road • Londonderry, NH 03053
(603) 432-1100 • londonderrynh.gov

RULES OF PROCEDURE FOR PUBLIC COMMENT

The following rules of procedure have been adopted by the Town Council of Londonderry to govern citizen input during public hearings and during “public comment” sessions and may be enforced at the discretion of the Chair:

- There shall be a time limit for each individual speaker of five minutes.
- Speakers are not permitted to donate time to other speakers.
- During public hearings, speakers are required to limit their comments to the topic which is before the Town Council and which is the subject of the hearing.
- During “public comment,” speakers are required to limit their comments to matters of public concern, relating to Town governance.
- Placement on agenda: Individuals or groups wishing to speak at a regular Town Council meeting at a time other than public hearing shall submit a written request to the Town Manager or Council Chair as well as the Executive Assistant. The Chair of the Town Council retains the discretion to allow or deny permission on the agenda.
- Citizens should refrain from the following:
 - ❖ Using profanity or vulgar language or gestures;
 - ❖ Using language which is likely to lead to a disturbance or disorder, because it insults or demeans any person or which, when directed at a public official or employee is not related to his/her official duties; however, citizens have the right to comment on the performance, conduct and qualifications of public figures;
 - ❖ Interrupting other speakers or engaging in behavior that disrupts the meeting including but not limited to applause, cheers, jeers, etc.;
 - ❖ Engaging in behavior that threatens or intimidates others; or
 - ❖ Addressing the Council on issues that do not concern the services, policies or affairs of the Town.

TAX COLLECTOR AGREEMENT

This Agreement is entered into as of the 16th day of March, 2026, by and between the **Town of Londonderry** (Town), a municipal corporation with an address of 268B Mammoth Road, Londonderry, New Hampshire 03053, and **Allison M. Parsons** (Parsons), an individual who resides at [REDACTED], Londonderry, New Hampshire (collectively, the “Parties”).

WHEREAS, Parsons has served as Tax Collector (TAX COLLECTOR) from July 1, 2021 to present, and her current appointment and Tax Collector Agreement expire as of March 31, 2026;

WHEREAS, Parsons desires to be-reappointed as TAX COLLECTOR effective April 1, 2026, with the statutory one-year term to run from April 1, 2026 through March 31, 2027, and the Council wishes to appoint Parsons as TAX COLLECTOR for that period of time.

NOW THEREFORE, in consideration of the mutual promises hereinafter contained, the Parties mutually agree as follows:

1. Term of Agreement. The term of this Agreement shall begin on April 1, 2026 and, unless terminated as herein provided, shall continue through March 31, 2027. The Town Manager shall meet with Parsons no later than March 1, 2027 to discuss her performance, inquire of her desire to seek a succeeding appointment, and advise her of his recommendation to the Council regarding a potential succeeding appointment.

2. Duties. Parsons shall serve as TAX COLLECTOR for the Town, and in that capacity, shall perform the duties and functions specified in the job description provided to Parsons, as may be amended by the Town Manager. Parsons shall also perform other duties as mandated by statute as well as legally permissible duties and functions as assigned by the Town Manager. Parsons shall perform the responsibilities and functions in compliance with applicable New Hampshire statutes, the Town’s Ordinances, and the Town policies and regulations.

3. Salary and Benefits.

a. **Salary.** Parsons shall receive an annual salary of \$95,350, payable in the same increments as wages are paid to employees of the Town. Such payments are subject to deductions required by law and as authorized by Parsons. Assuming continued appointment, Parsons shall be eligible to receive the same annual COLA as set forth in the Personnel and Compensation Policy for Non-Represented Employees in July 2026 and the July of each successive fiscal year.

b. **Insurance.** Parsons shall be entitled to receive the insurance coverage as detailed in the Article entitled “INSURANCE” in the Personnel and Compensation Policy for Non-Represented Employees pursuant to the then-current policy.

c. **Retirement.** The Town agrees to maintain Parsons in the New Hampshire Retirement System (NHRS) in accordance with New Hampshire law and NHRS

rules, regulations, and bylaws.

d. **Leave.** Pursuant to statute, Parsons shall be entitled to take leave at her discretion. Accordingly, Parsons shall not accrue vacation leave, sick leave, administrative time, or any other kind of leave time. Upon the expiration of her appointment or upon her voluntary resignation, Parsons shall not be entitled to any payout of leave time, as she does not accrue leave time.

5. **Removal/Termination.** If, in accordance with the provisions of NH RSA 41:40, the Town initiates proceedings to remove the TAX COLLECTOR during the pendency of her applicable appointment term, this Agreement shall be terminated upon the successful removal of Parsons.

In the event Parsons intends to resign her appointment as TAX COLLECTOR prior to the expiration of her applicable term, she shall provide the Town Manager with advance notice of not less than sixty (60) days. Upon provision of her notice, and upon mutual agreement by Parsons and the Town Manager as to her final work schedule, Parsons's termination date may occur on a mutually agreed upon date thereafter, but unless mutually agreed upon otherwise, such termination date shall not be less than twenty-one (21) days after the date notice was given.

6. **Disability.** Pursuant to RSA 41:38, if Parsons becomes temporarily incapacitated, the deputy tax collector shall serve during the term of such incapacity. If Parsons is permanently disabled or otherwise unable to perform her duties because of sickness, accident, injury, mental incapacity, or health for a period of four (4) successive weeks or for twenty (20) working days over a thirty (30) day working period, then the Town shall have the option of terminating this Agreement, provided however, that (a) should the provisions of the Family and Medical Leave Act apply, then those provisions shall control, and (b) the Town shall continue to pay the insurance premiums for short-term and long-term disability coverage as may be in effect during the time of such disability or illness for a period not less than the one hundred eighty (180) day elimination period for long-term disability coverage and/or until the claim is approved or denied by the insurance carrier.

7. **Mileage reimbursement.** The Town agrees to reimburse Parsons at the IRS established mileage rate for any travel done by Parsons (outside of her commute to/from Londonderry Town Hall) in order to attend meetings or training sessions which are pre-approved by the Town and which are related to her duties as Tax Collector.

8. **Personnel Policy Not to Apply.** It is understood and agreed by the Town and Parsons that, except for the purpose of designating Parsons as part of Class 1 in "All Eligible Non-Represented Employees" for the insurance coverages included in paragraph 3.b. above, the Town's Personnel Policy does not apply to the relationship between the Town and the TAX COLLECTOR contemplated hereby, and this Agreement exclusively sets forth Parsons's rights and remedies to the maximum extent allowed.

9. **Indemnification.** The Town shall defend, save harmless and indemnify Parsons

against any tort, professional liability claims or demands or other legal action, whether groundless or otherwise, arising out of her performance of duties as TAX COLLECTOR, unless such claim is asserted or joined by the Town, or brought by a prosecutorial or regulatory agency and the claim alleges criminal conduct, intentional, wanton or willful misconduct, or that the Town is a victim of the conduct alleged in the claim. The Town will compromise and settle any such claims or suit and pay the amount of any settlement of judgment, including insurance deductibles as provided for in the liability policy of the Town.

10. **Entire Agreement and Amendment.** This Agreement is the entire agreement between the parties and supersedes and replaces any other agreement, written or oral, relating to Parsons’s term as TAX COLLECTOR. This Agreement may be amended only by mutual written agreement of the parties.

11. **Jurisdiction and Venue.** The exclusive jurisdiction and venue for enforcement of, or any claim related to, this Agreement shall be the Rockingham County Superior Court.

WHEREFORE, the parties have signed this Agreement, effective as of March 16, 2026.

Town of Londonderry

Allison Parsons

Shawn Faber, Councilor

Allison Parsons

Deb Paul, Councilor

Dan Bouchard, Councilor

, Councilor

, Councilor

Salary Comparison

Town	Population	Salary Information
Salem	31,000	\$103,000 (2024) Taxes only - MV/other monies
Derry	34,000	\$106,412 Taxes and MV - Does not handle the monies for vitals or dogs
Nashua	92,000	\$120,000 No Motor Vehicle
Exeter	16,049	\$87,208 (2024) Taxes Only
Pelham	15,019	\$89,705 (2024) Taxes Only
Merrimack	26,000	\$89,423 Dual position which is splitting but salary will remain same
Durham	11,300	\$92,096 (2024) Closed Wednesdays
Portsmouth	24,000	\$110,000 (less than 2 years) Taxes and MV Monies
Windham	16,000	\$82,000 (2024) Taxes Only
Rochester	33,000	\$85,000 (2nd year) Taxes and MV - Does not handle the monies for vitals or dogs
Amherst	12,000	\$84,000 Tax Only
AVERAGE		\$95,350
Londonderry	27,280	\$80,433 Taxes, Motor Vehicles and manage all the payments through NW as well as what comes into the office regarding reconciliation, bad checks, balancing and any issues.

TOWN OF LONDONDERRY

JOB DESCRIPTION

Tax Collector

Effective Date: 10/01/2017

DEPARTMENT: Town Clerk/Tax Collector

JOB TITLE: Tax Collector

APPOINTMENT/SALARY: Appointed position with salary determined by Town Council.

WORK SCHEDULE: Assigned to a forty (40) hour workweek with additional hours as required, with the expectation of being available to assist taxpayers at Town Hall for a majority of the regular work week.

JOB SUMMARY: This position is responsible for the collection, reporting and proper accounting of municipal funds received through the Town Clerk and Tax Collector's office, as well as all other billings and miscellaneous receipts of the Town.

ACCOUNTABILITY: Reports directly to and is accountable to the Town Manager.

ESSENTIAL DUTIES AND RESPONSIBILITIES: (The following is illustrative of the duties and responsibilities associated with the position and are not intended to be all-inclusive.)

- Receives and identifies monies due the Town; provides a detailed accounting of receipts; monitors revenue collected through property taxes, sewer taxes, motor vehicle/boat registrations, various licenses and permits, other miscellaneous revenue, interest, fees and penalties. Ensures that all registers balance to daily deposit, and deposits all funds received by the Town.
- Plans and oversees preparation and mailing of tax bills, sewer bills, liens, tax deeds and mortgagee notices in accordance with State law; plans and analyzes the needs of the office and tax policies. Responds to inquiries from the general public regarding tax records, practices, and bills.
- Prepares lists of unpaid taxes; prepares and mails overdue notices. Places tax liens on property, and releases liens when taxes/bills are paid. Prepares tax deed for properties when all other options have been exhausted.
- Plans and oversees, as the Town's Municipal Agent, the registration of vehicles and boats, including the day-to-day processes, transfer of appropriate funds to the state and ongoing reporting of said activity as required by State law, and assists Town Clerk Assistants as necessary.
- Processes any and all on-line and other forms of electronic payment.
- In conjunction with Finance Director, meets with taxpayers to discuss payment problems and establish payment plans.
- Monitors and interprets laws and legislation affecting revenue/tax collection, motor vehicle/boat registrations, and other collection issues; notifies Town of any potential impacts and proposes resolutions as necessary.

**TOWN OF LONDONDERRY
JOB DESCRIPTION**

Tax Collector

Effective Date: 10/01/2017

- Prepares and reconciles reports and memos; prepares reports for the Finance Director, Town Manager or Town Council's consideration that contain accurate and reliable findings and recommendations.
- In conjunction with the Town Clerk, develops, recommends, implements and monitors the operating budget for the department.
- Ensures that bad checks are resolved.
- Files appropriate claims on behalf of the Town with regard to resident-filed bankruptcy actions.
- Attends meetings, conferences, workshops and training sessions and reviews publications and other materials to become and remain current on the principles, practices and new developments with regard to revenue collection.
- Communicates and coordinates regularly with other staff to maximize the effectiveness and efficiency of interdepartmental operations and activities.
- Ensures that Town Clerk and Clerk Assistants are kept updated regarding new laws and changes with regard to billing procedures and taxation.
- Answers inquiries from citizens, Town employees, officials, attorneys, auditors, taxpayers, banks, mortgage companies' tax services, and other Tax Collectors/Municipal Agents.
- Continually assesses the viability and efficiency of collection operations and implements improvements as necessary.
- Serves as notary and justice of the peace for legal documents.
- Performs other related duties as required.

SKILLS/EXPERIENCE/KNOWLEDGE REQUIRED:

Completion of a Bachelor's degree (B.A.) in Public Administration, Accounting or a closely related field is preferred. Extensive experience in related operations or any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the assigned work will be considered. New Hampshire Tax Collector and Municipal Agent Certifications are required within six (6) months of appointment to position.

Comprehensive knowledge of the theory, principles and practices of tax and property collection within a municipality, as well as motor vehicle and boat registration. Thorough knowledge of the fundamentals of accounting principles and practices and the ability accurately perform detailed work with numerical data to make arithmetic computations rapidly and easily. Ability to apply and interpret laws, regulations, and collection practices and procedures. Ability to attend to many items simultaneously or in sequence and to follow oral and written instructions effectively, often under time sensitive deadlines. Ability to speak and write effectively and to make presentations in a public forum. Ability to efficiently use a personal computer, as well as the knowledge of or the ability to quickly learn computer software programs frequently used for data entry and management

TOWN OF LONDONDERRY
JOB DESCRIPTION
Tax Collector

Effective Date: 10/01/2017

appropriate to assigned tasks. Ability to establish and maintain effective working relationships with the public, colleagues, subordinates, and Town officials.

WORKING CONDITIONS & PHYSICAL DEMANDS/ABILITIES:

Normal office environment, not subject to extremes in temperature, noise, odors, etc.

Regular use of computer keyboards, calculator and other office equipment requiring eye-hand coordination and finger dexterity.

Sufficient clarity of speech and hearing or other communication capabilities to communicate effectively.

Sufficient vision or other powers of observation which permits the employee to review a wide variety of written material in electronic or hardcopy form.

Travel to meetings and other communities.

Attend to many items simultaneously or in sequence; follow oral and written instructions effectively.

Maintain an appropriate level of confidentiality regarding Town and office records.

Contribute to team effort and establish and maintain harmonious and effective working relationships with personnel, elected officials, consultants, general public and contractors.

SUMMARY OF OCCUPATIONAL EXPOSURES: May be exposed to cleaning fluids, photocopier toner, eraser fluids, printer cartridges, etc.

SELECTION PROCESS/APPOINTMENT: Appointment made by Town Council. May be required to pass personal interview, professional background investigation, criminal history check, post-offer medical examination to include a drug test, driving record check, and polygraph examination.

Physical Activity Requirements

PRIMARY PHYSICAL REQUIREMENTS

LIFT up to 10 lbs:	Frequently Required
LIFT 11 to 25 lbs:	Occasionally Required
LIFT 26 to 50 lbs:	Rarely Required
LIFT over 50 lbs:	Not Required
CARRY up to 10 lbs:	Frequently Required
CARRY 11 to 25 lbs:	Occasionally Required
CARRY 26 to 50 lbs:	Rarely Required
CARRY over 50 lbs:	Not Required
REACH above shoulder height:	Rarely Required
REACH at shoulder height:	Frequently Required
REACH below shoulder height:	Frequently Required
PUSH/PULL:	Rarely Required

HAND MANIPULATION

Grasping:	Frequently Required
Handling:	Frequently Required
Torquing:	Rarely Required
Fingering:	Frequently Required

OTHER PHYSICAL CONSIDERATIONS

Twisting:	Frequently Required
Bending:	Frequently Required
Crawling:	Not Required
Squatting:	Occasionally Required
Kneeling:	Occasionally Required
Crouching:	Rarely Required
Climbing:	Not Required
Balancing:	Rarely Required

WORK SURFACE(S)

Counter tops and desks	√
Flooring (various types)	√
Uneven surfaces	
Sloped Surfaces	
Snow or icy surfaces	
Grass/Pavement	
Vehicle Interiors	

COGNITIVE AND SENSORY REQUIREMENTS

Speaking:	Required to communicate orally with others
Hearing:	Required to communicate orally with others
Sight:	Necessary for operating equipment
Tasting:	Not required
Smelling:	Not required

**DURING AN 8 HOUR DAY,
EMPLOYEE IS REQUIRED TO:**

	<u>Consecutive Hours</u>								<u>Total Hours</u>							
Sit	1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8
Stand	1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8
Walk	1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8

Equipment: Telephone, postage meter, stapler, calculator, pen and pencil, computer hardware and software, typewriter, photocopier, fax machine, and other related office equipment.

Environment: Inside 100% Outside _____ (Percentage spent daily)



Town of Londonderry, New Hampshire
268B Mammoth Road • Londonderry, NH 03053
(603) 432-1100 • londonderrynh.gov

Town Council Meeting – Agenda Item Coversheet

Meeting Date: 3/16/2026

Submitted By: Kirsten Hildonen

Department: Town Manager's Office

Contact Information: khildonen@londonderrynh.gov

Estimated Discussion Time: Minutes

Agenda Item Title: Appointment of Fire Chief James Young as Emergency Management Director

Background and Purpose: Under New Hampshire RSA 21-P:39 I, each political subdivision of the state shall have an emergency management organization with a director appointed by the municipality's Council / Board of Selectmen.

Action: Appoint Fire Chief James Young as Londonderry's Emergency Management Director.

Proposed Motion: *MOVED by the Londonderry Town Council that Fire Chief James Young is hereby appointed as the Emergency Management Director for the Town of Londonderry in accordance with RSA 21-P:39 I.*

Attachments: NH RSA 21-P:39 Homeland Security and Emergency Management

TITLE I

THE STATE AND ITS GOVERNMENT

CHAPTER 21-P

DEPARTMENT OF SAFETY

Homeland Security and Emergency Management

Section 21-P:39

21-P:39 Local Organization for Emergency Management. –

I. Each political subdivision of the state shall establish a local organization for emergency management in accordance with the state emergency management plan and program. Each local organization for emergency management shall have a local director who shall be appointed and removed by the county commissioners of a county, the city council of a city, or board of selectmen of a town, and who shall have direct responsibility for the organization, administration and operation of such local organization for emergency management, subject to the direction and control of such appointing officials. Each local organization shall have jurisdiction only within its respective political subdivision, and the director appointed by that political subdivision shall be responsible to his or her appointing authority. The appointing authority may appoint one of its own members or any other citizen or official to act as local director and shall notify the state director in writing of such appointment. If a local director is removed, the state director shall be notified immediately. Each local organization for emergency management shall perform emergency management functions within the territorial limits of the political subdivision within which it is organized.

II. Until a local director has been appointed, the chief elected official shall be directly responsible for the organization, administration, and operation of such local organization for emergency management.

III. In carrying out the provisions of this subdivision, each political subdivision in which any disaster as described in RSA 21-P:35, V occurs may enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. Each political subdivision may exercise the powers vested under this section in the light of the exigencies of the extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law, excepting mandatory constitutional requirements, pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, and the appropriation and expenditure of public funds.

IV. In carrying out the provisions of this subdivision, each political subdivision in which any disaster as described in RSA 21-P:35, V occurs may meet at any place within or without the territorial limits of such political subdivision and shall proceed to establish and designate by ordinance, resolution, or other manner, alternate or substitute sites or places as the emergency temporary location or locations of such government where all or any part of the public business may be transacted and conducted during the emergency situation. Such sites or places may be within or without the territorial limits of such political subdivision, but shall be within this state.

Source. 2002, 257:7, eff. July 1, 2002.



Town of Londonderry, New Hampshire
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Town Council Meeting – Agenda Item Coversheet

Meeting Date: 3/16/2026
Submitted By: TM Shaun Mulholland
Department: Town Manager

Contact Information: Email or Telephone
Estimated Discussion Time: 10 Minutes

Agenda Item Title: Discuss and set a public hearing for the repeal of TC-901 Financial Management Policy

Background and Purpose: TC-901 was formerly Chapter XVII, Title VI which was originally adopted on 6/24/2002. Further revisions were made on 7/14/2003 and 8/13/18. In September of 2025 the Council repealed Title VI and renumbered the policies listed within Title VI including this policy renumbering it as TC-901.

The Town Manager has replaced the provisions of Section VIII regarding Fixed Assets and replaced it with ADM-135 Asset Management. Sections V, VI and VII are relative to funds. These funds are already detailed in the purpose through the warrant article that created them. Section XII is regarding budget guidelines, outlines procedures that do not appear to ever have been utilized and in many respects do not seem practical. Title XII User Fees is less than clear and does not contain the key components of the provisions in RSA 41:9-a. Title XV Investment Policy does not really provide guidance and in many cases is not applicable. TC-100 has been proposed for the Council to approve on an annual basis. This includes Cash Management and Investment Policy. Section XVI Community Service Grant Program is now part of the annual budget process that is handled by the Town Manager and presented to the Council and the Budget Committee for consideration. Section X Debt Management is less than definitive. Although the Town has a very low debt load a standalone policy should be developed that provides more definition and policy direction regarding debt management.

Action: Set a public hearing for April 6, 2026 to repeal TC-901 Financial Management Policy.

Proposed Motion: *The Londonderry Town Council hereby schedules a public hearing for April 6, 2026 at 7 PM to receive public input and to repeal TC-901 Financial Management Policy.*

Attachments:



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Financial Management Policy			
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1. AUTHORITY

- a. In accordance with RSA 32 and 33 as amended, Articles 4 and 5 of the Londonderry Town Charter, generally accepted accounting principles (GAAP), current policies and objectives, and the Government Accounting Standards Board (GASB), the Town of Londonderry does hereby establish this financial management policy.
- b. In the event of any conflict between this policy or provision of the Londonderry Town Charter, or the Laws of the State of New Hampshire, that provision holding the Town to the higher standard shall be controlling.

2. PURPOSE

- a. This policy is designed to establish a framework for providing quality services to the community in an efficient and effective manner while maintaining long-term financial stability within the limitations established.
- b. The policy shall be reviewed regularly and modified as deemed appropriate by the Town Manager and the Finance Director. The policy shall be submitted to the Town Council for readopting every two years.

3. BASIC MUNICIPAL SERVICES

- a. Municipal services such as public safety, planning, fiscal administration (including assessing, tax collections and finance), and public works are the Town’s first responsibility. These services shall be funded to at least maintain current service levels.
- b. Appropriations for traditional capital expenditures in the Capital Improvements Plan should be revised annually to maintain a constant level of commitment when adjusted for inflation.
- c. The General Fund and other funds, as appropriate, should provide appropriations to equipment replacement funds to maintain equipment at least at current service levels.

4. ECONOMIC DEVELOPMENT PROGRAMS

- a. These programs include services, financial incentives and/or capital



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improvements to increase employment and the level of commerce in the Town.

- b. **Tax Increment Financing District** - Pursuant to RSA 162-K, TIF funds may be used for a variety of economic development activities within designated redevelopment areas in accordance with State law. Such economic development activities shall be described in detail for any redevelopment plans adopted by the Council.

5. SEWER ENTERPRISE FUND

- a. **The Sewer Enterprise Fund** receives revenues from User Fees and Access Fees.
- b. Revenues from the User Fees shall support the maintenance and rehabilitation/upgrade of the Town’s sanitary sewer system;
 - i. An accounting system will be implemented to ensure that all costs related to maintenance, rehabilitation, and upgrade of the sewer system, debt service, and engineering expenses and administrative costs incurred to administer the fees, will be either directly or indirectly paid from revenues raised through the fee.
 - ii. The User Fee Rate shall be reviewed annually in conjunction with preparation of the Town’s budget and/or as recommended in the sewer facilities plan. If the fee does not fully support maintenance and rehabilitation/upgrade of the system, staff will recommend changes to the Council.
- c. Revenues from Access Fees shall primarily support the past and future capital costs of the system, however, the Council may supplement funding provided by Access Fees with grant funding as it may become available, or bond issues for special projects.

6. CAPITAL IMPROVEMENTS FUND

- a. The Town has established Capital Reserve Funds under the provisions of RSA 35:1 for the purpose of funding one or more of the items set forth in the Capital Improvements Program, and to raise and appropriate a sum equal to the eventual replacement or leasing costs of equipment identified in each department’s acquisition schedule.



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- b. The Town will target the expenditure of unassigned fund balance, in excess of those funds retained pursuant to Section XI-D2 of this policy, to fund capital improvements not designated for long-term bonding.
- c. Capital Improvements Program (formerly Title 1 Gen Code, Chpt VI, Section V)
 - i. The Town Manager shall prepare and submit annually to the Town Council a six-year Capital Improvements Program prior to, or at the same time as, the proposed annual budget.
 - ii. The preparation methodology and contents of the Capital Improvement Program shall be pursuant to Article 5, Section 5.5 of the Londonderry Town Charter.
 - iii. Public Hearing - The Town council shall publish in one or more newspapers of general circulation in the Town the general summary of the Capital Improvements Program and a notice stating:
 - 1. The times and places where copies of the CIP are available for inspection by the public; and
 - 2. The date, time and place, not less than two weeks after such publication, when a public hearing on said program will be held by the Town Council
 - iv. The Capital Improvements Program shall be revised and extended each year.

7. EXPENDABLE MAINTENANCE TRUST FUND

- a. The Town has established an Expendable Maintenance Trust Fund under the provisions of RSA 31:19-a for the purpose of repairing and maintaining town facilities.
- b. Expendable Maintenance Trust Fund/Budget - In conjunction with the annual budget process, the Administrative Services Coordinator shall submit a building and grounds maintenance plan to the Town Manager.

8. FIXED ASSETS

- a. GASB 34 requires municipalities to capitalize and annually depreciate fixed



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assets. The following defines the categories of fixed assets the town needs to maintain financial records on an ongoing basis:

- i. **General Fixed Assets** of the municipality, which includes items such as land, buildings, building improvements, equipment, vehicles, furnishings and computer equipment.
 - ii. **Enterprise Fund Fixed Assets** of the municipality, which include normal fixed assets as stated above, and infrastructure (i.e., sewer lines) of the municipality’s enterprise fund operations.
 - iii. **Infrastructure Fixed Assets** of the municipality, which include roads and bridges.
- b. The threshold the Town is maintaining general fixed assets at is \$10,000.00. All departments of the Town shall notify the Finance Department upon acquisition or disposition of any general fixed asset for proper and accurate reporting on Town financial statements.

9. PROPERTY TAX RATE

- a. It is the Town’s goal that the annual property tax rate, while subject to change based on the Town’s need to maintain the desired level of cost-effective services, will be managed to avoid significant annual fluctuations.
- b. Increased service levels may warrant an increase in the property tax rate, while other factors may warrant a decrease in the rate. In addition, trends in Federal and State government may require that the revenues received from property taxes, and thus the tax rate, be adjusted annually. These trends include:
 - i. Decreases in other revenue sources; including motor vehicles permit fees, investments, and State and Federal Revenues
 - ii. General Inflation, which increases the costs of municipal services
 - iii. Mandates by the State and Federal governments, which increase the cost of municipal services or impose new services.
 - iv. Changing demographics within the community may warrant revisions to the Town’s current municipal services.
- c. Factors which may warrant a decrease in the property tax rate include:



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- i. Any other source of new, recurring revenue
- ii. A reduced cost for providing current services
- iii. Significant non residential additions to the Town’s tax base

10. DEBT MANAGEMENT

a. The Town will consider the use of debt financing only for one-time capital improvement projects and unusual equipment purchases, only under the following circumstances:

- i. When the project’s useful life or the projected service life of the equipment will exceed the term of the financing.
- ii. When there are designated revenues sufficient to service the debt, whether from project revenues, other specified and reserved resources, or infrastructure cost-sharing revenues
- iii. Debt financing is not considered appropriate for any recurring purpose such as current operating and maintenance expenditures.

b. The Town will use the following criteria to evaluate pay-as-you-go versus long-term debt financing in funding capital improvements:

- i. Factors which favor pay-as-you-go:
 1. Current revenues and adequate fund balances are available
 2. Project phasing is feasible
 3. Debt levels would adversely affect the Town’s credit rating
 4. Market conditions are unstable or present difficulties in marketing bonds
- ii. Factors which favor long-term financing:
 1. Revenues available for debt service are considered sufficient and reliable so that long-term financings can be marketed with the highest possible credit rating.
 2. The project for which financing is being considered is of the type which will allow the Town to maintain or improve its current credit rating.
 3. Market conditions present favorable interest rates and



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demand for municipal financing

4. A project is mandated by State or Federal requirements and current revenues and funds balances are insufficient to pay project costs
 5. A project is immediately required to meet or relieve capacity needs
 6. The life of the project or asset financed is ten years (10) or longer
 7. A project’s long term benefits require that costs be shared by current and future users and outweigh the additional costs as measured on a present value basis.
- c. General obligation debt may be used in lieu of revenue debt if expenses can be significantly reduced (as compared to financing from self-supporting revenues) and if special or enterprise fund revenue available for debt service is considered sufficient and reliable.
 - d. General obligation (bonded) debt will not exceed the statutory limits imposed by NHRSA Chapter 33 – Municipal Finance Act.
 - e. An analysis will be prepared by Town staff for each long-term financing. The analysis will assess the impact of debt issuance on current and future operating and capital budgets and address the reliability of revenues to support debt service payments.
 - f. The Town will generally conduct financing on a competitive basis; however, negotiated financing or low interest programs, such as the NH DES Revolving Grant Program, may be used where the use of an unusual or complex financing or security structure is a concern with regard to marketability, or it is more cost effective to negotiate with a sole source.
 - g. The Town will seek to maintain or improve its current bond rating and will specifically discuss with the Town Council any proposal that may cause that rating to be lowered.
 - h. The Town will seek credit enhancements such as letters of credit or insurance when necessary for marketing purposes or cost effectiveness.
 - i. The Town will monitor all forms of debt annually. An analysis will be included in the Town’s Financial Plan. Concerns and recommended remedies will be reported to the Council as necessary.



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- j. The Town will monitor compliance with bond covenants and adhere to Federal arbitrage regulations.
- k. The Town will follow a policy of full disclosure on every financial report and bond prospectus voluntarily following disclosure guidelines provided by the Government Finance Officers' Association (GFOA), unless the cost of compliance with the higher standard is unreasonable.
- l. Inter-fund borrowing and internal lending will be considered to finance high priority needs on a case-by-case basis, only when other planned expenditures in the fund making the loan would not be affected. Lending may be used when it would reduce the cost of interest, debt issuance, and/or administration, or encourage private investment that might otherwise not take place. Any inter-fund borrowing shall be accompanied by a plan of repayment to the affected fund.

11. POST-ISSUE TAX COMPLIANCE POLICY AND PROCEDURES FOR TAX-EXEMPT OBLIGATIONS

a. The purpose of this Post-Issuance Tax Compliance Policy and Procedures is to establish policies and procedures in connection with tax-exempt bonds and notes (the "Bond" or "Bonds") issued by the Town of Londonderry, New Hampshire (the "Issuer") so as to maximize the likelihood that all applicable post-issuance requirements of federal income tax law needed to preserve the tax-exempt status of the Bonds are met.

i. Compliance Coordinator:

1. The Finance Director ("Coordinator") shall be responsible for monitoring post-issuance compliance.
2. The Coordinator will maintain a copy of the transcript of proceedings in connection with the issuance of any tax-exempt obligations. The Coordinator will obtain such records as are necessary to meet the requirements of this policy.
3. The Coordinator shall consult with bond counsel, a rebate consultant, financial advisor, Internal Revenue Service ("IRS") publications and such other resources as are necessary to understand and meet the requirements of this policy.
4. Training and education of the Coordinator and his/her staff will



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be sought and implemented upon the occurrence of new developments and upon the hiring of new personnel to implement this policy.

ii. Record-Keeping.

1. Financing Transcripts. The Coordinator shall confirm the proper filing with the IRS of an 8038 Series return, and maintain a transcript of proceedings for all tax-exempt obligations issued by the Issuer, including but not limited to all tax-exempt bonds, notes and lease-purchase contracts. Each transcript shall be maintained for as long as the Bonds are outstanding, plus three (3) years after the final redemption date of the Bonds. Said transcript may be maintained in electronic format and shall include, at a minimum:
 - a. Form 8038s;
 - b. minutes, resolutions, and certificates;
 - c. certifications of issue price from the underwriter, if applicable;
 - d. formal elections required by the IRS;
 - e. trustee statements, if applicable;
 - f. records of refunded bonds, if applicable;
 - g. correspondence relating to bond financings;
 - h. reports of any IRS examinations for bond financings;
 - i. documents related to governmental grants associated with construction, renovation or purchase of bond financed facilities, if applicable; and
 - j. publications, brochures, and newspaper articles, where applicable.

2. Modification to Financing Documents. The Coordinator shall determine if there is any “significant modification” to bond documents resulting in reissuance under Treasury Regulations §1.1001-3, in consultation with bond counsel and any other legal counsel and financial advisor. The Coordinator shall retain proof of filing new Form 8038 and relevant



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documentation plus final rebate calculation on pre-modification bonds.

iii. Proper Use of Proceeds. The Coordinator shall review the resolution authorizing issuance for each tax-exempt obligation issued by the Issuer and shall:

1. obtain a computation of the yield on such issue from the Issuer’s financial advisor;
2. create a separate Project Fund (with as many sub-funds as shall be necessary to allocate proceeds among the projects being funded by the issue) and a separate Cost of Issuance Fund as necessary to allocate proceeds to Bond issuance costs into which the proceeds of the issue shall be deposited, as applicable;
3. review all requisitions, draw schedules, draw requests, invoices and bills requesting payment from the Project Fund;
4. determine whether payment from the Project Fund is appropriate, and if so, make payment from the Project Fund (and appropriate sub-fund if applicable);
5. maintain records of the payment requests and corresponding records showing payment;
6. maintain records showing the earnings on, and investment of, the Project Fund;
7. ensure that all investments acquired with proceeds are purchased at fair market value;
8. identify bond proceeds or applicable debt service allocations that must be invested with a yield-restriction and monitor the investments of any yield-restricted funds to ensure that the yield on such investments does not exceed the yield to which such investments are restricted;
9. maintain records related to any investment contracts, credit enhancement transactions, and the bidding of financial products related to the proceeds; and
10. monitor and maintain records of the reimbursement of costs previously expended by the Issuer to ensure that such



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reimbursement occurs not more than 18 months after the later of (i) the dates of the expenditures or (ii) the date the project/asset was placed in service (but not more than 3 years after the original expenditures were paid) except with respect to those expenditures for which the Issuer obtained a certificate of licensed engineer/architect to the effect that (I) at least five (5) years was necessary to complete the construction of the part of the project for which such expenditures were required; and (II) such expenditures shall be reimbursed not more than five (5) years after the date that the original expenditures were paid.

iv. Arbitrage/Rebate Compliance and Timely Expenditure of Proceeds.

1. The Coordinator shall review the No Arbitrage and Tax Certificate (or equivalent) (the "Certificate") for each tax-exempt obligation issued by the Issuer and the expenditure records provided in Section 2 of this policy, above, and shall ensure that the Issuer takes the following actions:
 - a. monitor and ensure that proceeds of each such issue are spent within the temporary period set forth in the Certificate;
 - b. if at the time of issuance, it appears that that the Bonds will qualify for the small issuer exception to the rebate requirement, the Coordinator will monitor the amount of subsequent tax-exempt obligations issued or proposed to be issued in the calendar year in which the Bonds closed to ensure that the Issuer does not exceed the \$5 million or \$15 million threshold, as applicable, in such calendar year;
 - c. if at the time of issuance, based on reasonable expectations set forth in the Certificate, it appears likely that the issue will qualify for an exemption from the rebate requirement, the Issuer may defer taking any of the actions set forth in subsection (c) below. Not later than the time of completion of construction or acquisition of the project, and depletion of all funds from the Project Fund, the Issuer shall make a



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determination if the expenditure of the Bond proceeds qualified for an exemption from the rebate requirements based on spending within a 6 month, 18 month or 2 year period after issuance. If a rebate exemption is determined to be applicable, the Issuer shall prepare and keep in the permanent records of the issue a memorandum evidencing this conclusion together with records of expenditure to support such conclusion. If the transaction does not qualify for rebate exemption, the Issuer shall initiate the steps set forth in (d) below;

- d. if at the time of issuance it appears likely that arbitrage rebate calculations will be required, or upon determination that calculations are required pursuant to (c) above, the Issuer shall:
 - i. engage the services of expert advisors (each a "Rebate Service Provider") to assist in the calculation of arbitrage rebate payable in respect of the investment of Bond proceeds, or else shall ensure that it has adequate financial, accounting and legal resources of its own to make such calculations, and, prior to each rebate calculation date, cause the trustee or other financial institution investing bond proceeds to deliver periodic statements concerning the investment of Bond proceeds to the Rebate Service Provider;
 - ii. provide to the Rebate Service Provider additional documents and information reasonably requested by the Rebate Service Provider;
 - iii. monitor efforts of the Rebate Service Provider;
 - iv. assure payment of required rebate amounts, if any, no later than 60 days after each 5-year anniversary of the issue date of the Bonds, and no later than 60 days after the last Bond of each



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issue is redeemed;

- v. during the construction period of each capital project financed in whole or in part by Bonds, monitor the investment and expenditure of Bond proceeds and consult with the Rebate Service Provider to determine compliance with any applicable exceptions from the arbitrage rebate requirements during each 6-month spending period up to 6 months, 18 months or 2 years, as applicable, following the issue date of the Bonds;
 - vi. retain copies of all arbitrage reports, trustee statements and other documents as required herein; and
 - vii. in lieu of engaging an outside Rebate Service Provider, the Issuer may make a determination that it has sufficient capabilities using its own personnel, supported by its regular accounting and legal advisers, to be able to make the required rebate calculations. Such determination shall be evidenced in writing with specific reference to the personnel and advisers to carry out the calculations, and such written determination shall be maintained in the records of the bond transaction.
- v. Proper Use of Bond Financed Assets.
1. The Coordinator shall maintain appropriate records and a list of all bond financed assets. Such records shall include the actual amount of proceeds (including investment earnings) spent on each of the bond financed assets.
 2. With respect to each bond-financed asset, the Coordinator will monitor and confer with bond counsel with respect to all proposed:
 - a. management contracts,
 - b. service agreements,



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- c. research contracts,
 - d. naming rights contracts,
 - e. leases or sub-leases,
 - f. joint venture, limited liability or partnership arrangements,
 - g. sale of property, or
 - h. any other change in use of such asset.
3. Section 141 of the Code sets forth private activity tests for the purpose of limiting the volume of tax-exempt bonds that finance activities of persons other than state and local governmental entities. These tests serve to identify arrangements that actually or reasonably expect to transfer the benefits of tax-exempt financing to non-governmental persons, including the federal government. The Coordinator shall provide to the users of any bond-financed property a copy of this Compliance Policy and other appropriate written guidance advising that:
- a. "Private business use" means use by any person other than the Issuer, including business corporations, partnerships, limited liability companies, associations, non-profit corporations, natural persons engaged in trade or business activity, and the United States of America and any federal agency, as a result of ownership of the property or use of the property under a lease, management or service contract (except for certain "qualified" management or service contracts), "naming rights" contract, "public-private partnership" arrangement, or any similar use arrangement that provides special legal entitlements for the use of the bond financed property;
 - b. No more than 10% of the proceeds of any tax-exempt bond issue (including the property financed with the Bonds) may be used for private business use, of which no more than 5% of the proceeds of the tax-exempt bond issue (including the property financed with the bonds) may be used for any "unrelated" private business



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use - that is, generally, a private business use that is not functionally related to the government's purposes of the Bonds; and no more than the lesser of \$5,000,000 or 5% of the proceeds of a tax-exempt bond issue may be used to make or finance a loan to any person other than a state or local government unit;

- c. Before entering into any special use arrangement with a non-governmental person that involves the use of bond financed property, the Coordinator will consult with bond counsel, provide bond counsel with a description of the proposed non-governmental use arrangement, and determine whether that use arrangement, if put into effect, will be consistent with the restrictions on private business use of the bond financed property; and
 - d. In connection with the evaluation of any proposed non-governmental use arrangement, the Issuer will consult with bond counsel to obtain federal tax advice in whether that use arrangement, if put into effect, will be consistent with the restrictions on private business use of the bond financed property, and, if not, whether any "remedial action" permitted under §141 of the Code may be taken as means of enabling that use arrangement to be put into effect without adversely affecting the tax-exempt status of the Bonds.
4. The Coordinator shall maintain a copy of any such proposed agreement, contract, lease or arrangement, together with the response by bond counsel with respect to said proposal for at least three (3) years after retirement of all tax-exempt obligations issued to fund all or any portion of bond financed assets;
 5. The Coordinator shall consult with bond counsel and other legal counsel and advisers in the review of any change in use of bond-financed or refinanced assets to ensure compliance with all covenants and restrictions set forth in the Certificate;
 6. The Coordinator shall confer at least annually with other personnel responsible for bond-financed or refinanced assets



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to identify and discuss any existing or planned use of bond-financed or refinanced assets, to ensure that those uses are consistent with all covenants and restrictions set forth in the Certificate; and

7. To the extent that the Coordinator discovers that any applicable tax restrictions regarding use of bond proceeds and bond-financed or refinanced assets will or may be violated, the Coordinator shall consult promptly with bond counsel and other legal counsel and advisers to determine a course of action to remediate all nonqualified bonds, if such counsel advises that a remedial action is necessary.

vi. Bank Qualification.

1. If the Bonds are issued in a par amount of \$10 million or less and designated by the Issuer as “bank qualified” under Section 265(b)(3) of the Code, the Coordinator will monitor the amount of subsequent tax-exempt obligations issued or proposed to be issued in the calendar year in which the Bonds closed to ensure that the Issuer does not exceed the \$10 million threshold in such calendar year.

vii. General Project Records.

1. For each project financed with tax-exempt obligations, the Coordinator shall maintain a copy of all material documents relating to capital expenditures financed or re-financed by tax-exempt proceeds, until three (3) years after retirement of the tax-exempt obligations or obligations issued to refund those obligations including (without limitation), the following:
 - a. appraisals, demand surveys or feasibility studies,
 - b. applications, approvals and other documentation of grants,
 - c. depreciation schedules,
 - d. contracts respecting the project, including construction contracts,
 - e. purchase orders,
 - f. invoices,



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- g. trustee requisitions and payment records,
- h. documents relating to costs reimbursed with Bond proceeds, and
- i. records identifying the assets or portion of assets that are financed or refinanced with Bond proceeds, including a final allocation of proceeds.

viii. Advance Refundings.

1. The Coordinator shall be responsible for the following current, post issuance and record retention procedures with respect to advance refunding bonds:
 - a. Identify and select bonds to be advance refunded with advice from internal financial personnel, and a financial advisor;
 - b. The Coordinator shall identify, with advice from the financial advisor and bond counsel, any possible federal tax compliance issues prior to structuring any advance refunding;
 - c. The Coordinator shall review the structure with the input of the financial advisor and bond counsel, of advance refunding issues prior to the issuance to ensure
 - i. that the proposed refunding is permitted pursuant to applicable federal tax requirements if there has been a prior refunding of the original bond issue;
 - ii. that the proposed issuance complies with federal income tax requirements which might impose restrictions on the redemption date of the refunded bonds;
 - iii. that the proposed issuance complies with federal income tax requirements which allow for the proceeds and replacement proceeds of an issue to be invested temporarily in higher yielding investments without causing the



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advance refunding bonds to become “arbitrage bonds”;

- iv. that the proposed issuance will not result in the issuer’s exploitation of the difference between tax exempt and taxable interest rates to obtain an financial advantage nor overburden the tax exempt market in a way that might be considered an abusive transaction for federal tax purposes; and
 - v. that the proposed refunding complies with applicable State law.
- d. The Coordinator shall collect and review data related to arbitrage yield restriction and rebate requirements for advance refunding bonds. To ensure such compliance, the Coordinator shall engage a rebate consultant to prepare a verification report in connection with the advance refunding issuance. Said report shall ensure said requirements are satisfied.
- e. The Coordinator shall, whenever possible, purchase SLGS to size each advance refunding escrow. The financial advisor and/or bond counsel shall be included in the process of subscribing SLGS. To the extent SLGS are not available for purchase, the Coordinator shall, in consultation with bond counsel and the financial advisor, comply with IRS regulations.
- f. To the extent the Issuer elects to purchase a guaranteed investment contract, the Coordinator shall ensure, after input from bond counsel, compliance with any bidding requirements set forth by the IRS regulations.
- g. In determining the issue price for any advance refunding issuance, the Coordinator shall obtain and retain issue price certification by the purchasing underwriter at closing.



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h. After the issuance of an advance refunding issue, the Coordinator shall ensure timely identification of violations of any federal tax requirements and engage bond counsel in attempt to remediate same in accordance with IRS regulations.

ix. Continuing Disclosure.

1. The Coordinator shall assure compliance with each continuing disclosure certificate and annually, per continuing disclosure agreements, file audited annual financial statements and other information required by each continuing disclosure agreement. The Coordinator will monitor material events as described in each continuing disclosure agreement and assure compliance with material event disclosure. Events to be reported shall be reported promptly, but in no event not later than ten (10) Business Days after the day of the occurrence of the event. Currently, such notice shall be given in the event of:
 - a. Principal and interest payment delinquencies;
 - b. Non-payment related defaults, if material;
 - c. Unscheduled draws on debt service reserves reflecting financial difficulties;
 - d. Unscheduled draws on credit enhancements relating to the bonds reflecting financial difficulties;
 - e. Substitution of credit or liquidity providers, or their failure to perform;
 - f. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax-exempt status of the bonds, or material events affecting the tax-exempt status of the bonds;
 - g. Modifications to rights of Holders of the Bonds, if material;



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- h. Bond calls (excluding sinking fund mandatory redemptions), if material, and tender offers;
 - i. Defeasances of the bonds;
 - j. Release, substitution, or sale of property securing repayment of the bonds, if material;
 - k. Rating changes on the bonds;
 - l. Bankruptcy, insolvency, receivership or similar event of the Issuer;
 - m. The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
 - n. Appointment of a successor or additional trustee or the change of name of a trustee, if material.
- x. Compliance with Continuing Disclosure Filings.
- 1. Under S.E.C. Rule 15c2-12, the Issuer may be required to periodically provide financial documentation, reports, notice and updates of documents to EMMA, the Electronic Municipal Market Access website managed by the Municipal Securities Rulemaking Board. Compliance is required in accordance with the Issuer’s Material Events Disclosure Certificate and/or Continuing Disclosure Certificate executed in connection with a bond or note issue.
- xi. Due Diligence and Remedial Actions.
- 1. In all activities related to the Issuer’s Bonds, the Coordinator and his/her staff will exercise due diligence to comply with the Code provisions governing tax-exempt obligations. The Issuer is aware of (a) the Voluntary Closing Agreement Program (known as “VCAP”) operated by the IRS which allows issuers to voluntarily enter into a closing agreement in the event of



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certain non-compliance with Federal tax requirements and (b) the remedial actions available under Section 1.141-12 of the Income Tax Regulations for private use of bond financed property which was not expected at the time the Bonds were issued.

xii. Periodic Review.

1. The Issuer will monitor compliance with the guidelines contained in this policy as well as any other covenants not specifically included herein and will review and update these guidelines at least annually and whenever necessary due to change in law or circumstances.

12. BUDGET GUIDELINES

- a. Budget Development/Review (incorporated from Charter Section 5.2 and Title I, General Code, Chapter. VI, Section II)
 - i. At such time as may be requested by the Manager or specified by the Administrative Code, each officer or director of a department shall submit an itemized estimate of the expenditures for the next fiscal year for the departments or activities under his control to the Manager. The Manager shall, based on these estimates and other data, prepare a recommended budget which shall, together with these department estimates, be submitted to the Council on such date as the Council shall establish. The Council shall review the budget for the following fiscal year and make such modifications and amendments as it desires.
 - ii. No later than one hundred (100) days prior to the Annual Town Meeting as designated by NH Statute, the Town Manager shall submit his proposed budget to the Town Council for its review.
 - iii. The budget shall include a complete financial plan of all Town funds and activities for the ensuing fiscal year, including the estimated effect of the proposed budget on the tax rate, and shall be by line item.
 - iv. The message of the Town Manager shall explain the budget for all Town agencies both in fiscal terms and in terms of work program. It shall outline the proposed financial policies of the town for the



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ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current fiscal year in financial policies, expenditures and revenues together with reasons for such changes, summarize the Town’s debt position and include such other material as the Town Manager deems desirable or as the Council may reasonably require.

- v. The Town Manager shall recommend to the Council a proposed schedule for the review of the twelve month budget of the ensuing fiscal year. The Council shall adopt such schedule for budget review, public hearing and adoption.
 - vi. A preliminary adoption of the proposed annual budget, with or without amendments, shall be made no later than (60) days prior to any annual or special Town Meeting.
 - vii. The Council shall hold in convenient places as many public hearings on the budget as it deems necessary, but at least two public hearings on the budget shall be scheduled on dates consistent with those specified in the Municipal Budget Act before its final adoption by the Budgetary Town Meeting at such time and place, convenient to the public, as the Council shall direct. Notice of such public hearing and Budgetary Town Meeting, together with a copy of the budget as submitted, shall be posted in two public places. A copy of the budget shall be available to the public at the office of the Clerk during regular business hours. In addition, notice of such public hearing and Budgetary Town Meeting shall be published in a newspaper of general circulation in the Town at least one week prior to said meeting by the Clerk.
- b. The following policies are established as more specific guidance to the budget development process:
- i. Prior to the start of each annual budget process, the Town Council shall provide guidance to the Town Manager stipulating financial goals for the new budget year. This guidance shall be used by all town departments in the preparation of their budgetary requests to the Town Manager. The Town Manager, in conjunction with the Finance Director will provide the Town Council with any historical data necessary for the formulation of the Council’s budgetary guidance to the Town Manager.



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- ii. Adequate reserves may be maintained for all known liabilities, including anticipated employee leave and separation expenses, workers compensation and self-insured retention limits.
- iii. When equipment is to be acquired, fiscal arrangements should be appropriate for each particular circumstance.
 - 1. For equipment to be permanently acquired, financing through the Town’s Master Lease program shall be considered.
 - 2. Flexible arrangements (i.e.: rental) may be used when equipment needs are not permanent, or when changing needs or technologies may make the equipment obsolete.
 - 3. Replacement schedules for all major equipment should be established and funds set aside annually in an amount sufficient to allow replacement of such equipment at the end of its useful life.
 - 4. Revenues generated from programs or reserves should be taken into account when evaluating the cost effectiveness of the program or service, if the revenues would not be received without those programs or services. For example, a service might be deemed cost effective if part of the related costs were offset by user fees, but not cost effective if the Town were to fund the program fully from the General Fund without user fees.
- c. Supplemental Appropriations (*Incorporated from Title I, Chptr. VI, Section VI*)
 No appropriations shall be made for any purpose not included in the annual budget as adopted, unless to **apply for, accept and expend funds in accordance with RSA 31:95-b, Capital Reserve Funds, or other Trust Funds where the Town Council has been designated as agents to expend.**
- d. To provide for emergencies, working cash and as a safeguard against fluctuating revenues, adopted budgets for General Operating and other funds shall include consideration of the **following** provisions: (*Formerly Fund Balance Policy, Title VI, Chapter III*)
 - i. Definitions:
 - 1. **Fund Balance:** - The accumulated equity balance in a



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governmental fund resulting from operations over the years. This is the difference between fund assets and fund liabilities.

2. **General Fund** - A fund used to account for basic governmental services supported generally by taxes. Accounts for all financial resources not required to be accounted for in another fund.
3. **Unassigned Fund Balance of the General Fund** - Defined as the fund balance of the general fund, excluding any and all reserves, and any dedicated fund balances of the General Fund.

ii. Recommended Maintenance Level

1. Not less than 5% and not higher than 7% of the gross municipal appropriations, as approved for a fiscal year.
 - a. Exclusions: Any appropriations for capital projects or improvements funded entirely by bonds/notes proceeds, operating transfers or other financing sources.
2. If the balance falls below the prescribed level, any additions to the fund balance, as determined by the annual audit, must remain in the fund until the prescribed level has been reached.

iii. Recommended Utilization

1. Excess Balance (over prescribed level)
 - a. Emergency appropriations
 - b. Capital Projects
 - c. Transfers to Capital Reserves
 - d. Reduction of the tax rate for the ensuing year
 - e. Any other nonrecurring appropriation as deemed appropriate by the Council

iv. The Town Manager shall make recommendations on the use of excess fund balance as part of the subsequent year’s budget and it shall be considered along with the balance of the fiscal year budget proposal.

e. Special Revenue Funds should be established where revenues from a specific source shall be used for specific purposes; the purpose is not funded through



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the property tax, and/or difficulty is encountered accurately predicting the annual level of activity. Special Revenue Funds require the approval of Town Meeting pursuant to RSA 31:95-d.

- f. Fees should be reviewed on a regular basis to maintain cost recovery rates existent when the fees were established. Modifications to cost recovery rates or new fees should be considered where appropriate. In general, user fees are applicable when services are not basic or when specific beneficiaries and their relative level of benefit can be identified.
- g. Grant revenues shall be pursued to provide or enhance Town services. However, recurring activities shall be initiated with grant funds only if one of the following conditions is met:
 - i. The activity can be terminated in the event that the grant revenues are discontinued; or,
 - ii. The activity should and can be assumed within recurring Town funds in the event the grant revenues are discontinued.
- h. The proposed budget for the General Fund will be limited as follows:
 - i. Expenditures for personnel services (salaries and benefits) may be increased in accordance with approved labor contracts. For non-bargaining unit employees, increases will be approved in accordance with the Town’s Personnel and Compensation Policy for Non-Represented Employees.
 - ii. Expenditures for items other than salaries and benefits will be increased or decreased based on the guidance issued to the Town Manager by the Town Council as outlined above.

13. USER FEES

- a. User Fees are appropriate when services are not “basic” or when specific beneficiaries and their relative level of benefit can be identified. “Basic services” are those which the Town wishes to provide to all citizens. An individual may not forego these services because of the potential impact on public health, safety, or welfare.
- b. A service which provides benefit to the entire community and for which the benefit to specific users cannot be measured, or the cost of measuring the benefit to specific users would be prohibitive (e.g.: street maintenance)



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should be funded from the General Fund.

- c. A regular schedule of review will be established for all user fees.
- d. Types of services which may be funded by User Fees:
 - i. A service which provides benefits to a limited group, but provides little or no general benefit to the community, (e.g.: document reproduction), which shall be provided based upon cost recovery, (all direct and indirect costs) or on a rate structure (flat rate per unit of service).
 - ii. A service which provides potential benefit to all members of the community and the benefit to each user can be measured or fairly approximated (e.g.: sewer maintenance, building permits, most licenses and permits except those used by a targeted group), shall be provided upon cost recovery (all direct costs), or on a rate structure (based upon level of service) or flat rate for licenses and permits.
 - iii. Definitions:
 - 1. "Direct costs" include all costs of performing the service, regulating the activity being licensed and collecting the fee, including staff time and benefits
 - 2. "Indirect costs" include a proportionate share of budgeted expenditures for administrative services, and overhead costs such as insurance and building maintenance.
- e. For any proposed fee, staff will provide an assessment of the socio-economic impact of the fee upon users. The Town Council may choose not to charge a fee if it would prevent low or fixed income groups from using Town services.
- f. Council may opt not to charge a fee if it would be in conflict with accomplishing public policy objectives (e.g.: fire inspections)
- g. If the cost of administering and collecting a fee is disproportionately high in relation to the cost of providing the service, the service may be funded from the General Fund.
- h. In recommending an appropriate rate, staff will consider similar fees charged by other jurisdictions in close proximity and of similar size, with similar operations. Where the Town service is in direct competition with the private sector (i.e.: parking), the Town's fees should be competitive unless there is a specific purpose achieved by leading or following market rates.



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- i. Citizen Participation - Pursuant to RSA 41:9-a, a public hearing will be held before any new fee is instituted or an existing fee is amended. Current services funded from new user fees - When any fee is instituted to fund services currently funded from the General Fund, the Town will consider whether general revenues should be reduced accordingly, or whether those revenues should be targeted to some identified purpose.

14. POTENTIAL REVENUE SOURCES

- a. For any proposed additional revenue source, the Town Council will consider the following criteria:
 - i. Community acceptability
 - ii. Competitiveness, the revenue or tax burden of Londonderry relative to neighboring, or similarly sized, communities
 - iii. Diversity, the balance of revenue sources that can withstand changes in the business cycle
 - iv. Efficiency, the cost of administering a fee should bear a reasonable relation to revenues collected, and any new fee should have minimal effects on private economic decisions
 - v. Fairness, the distribution of the Town’s revenue burden as measured by ability to pay, the benefits received, or the community’s definition of the resident’s fair share of the revenue burden.

15. INVESTMENT POLICY

- a. Purpose - This investment policy applies to all financial assets of the Town of Londonderry, except those transferred to the Trustees of the Trust Funds.
- b. These funds are accounted for in the Town’s annual financial report and include:
 - i. General Fund
 - ii. Sewer Fund
 - iii. Capital Project Fund
 - iv. Special Revenue Funds



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- v. Any new fund created by Town Meeting or Town Council, unless specifically exempted by the articles of its creation
- c. This investment policy applies to all transactions involving the financial assets and related activity of all the foregoing funds.
- d. The investing officers authorized by this policy to invest financial assets for the Town of Londonderry are defined as the Town Treasurer and the Finance Officer.
- e. Objectives:
 - i. Safety of Principal is the foremost objective of the Town. Each investment transaction shall seek to first ensure that capital losses are avoided, whether they be from securities defaults or erosion of market value
 - ii. The Town Council seeks to attain market rates of return on its investments, consistent with constraints imposed by its safety objectives, cash flow considerations, and State laws that restrict the placement of public funds. The Town’s Finance Director is encouraged to represent the Council’s best interests in seeking to remove constraints to the efficient investment of its funds.
 - iii. All participants in the investment process shall seek to act responsibly as custodians of the public trust. They shall avoid any transaction that might impair public confidence in the Town Council’s ability to govern effectively.
 - iv. The determination of the best appropriate types and mixtures of investments is dependent upon several factors; the primary objective is safety. Once that objective is obtained, the optimum return on the investment should be consistent with the goals of the cash management program of the Town. The factors that should be taken into account include:
 - 1. Safety - Safety is achieved through adherence to the list of permitted investments which are backed by the full faith and credit of, or a guarantee of principal and interest by, the U.S. Government.
 - 2. Liquidity - All investments must be capable of being liquidated on a one day notice. Therefore, no investment may be made which imposes a longer notice period for redemption or which



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are not readily marketable.

3. Yield - The Town should strive to achieve the highest yield consistent with the other factors of the Investment Policy.
4. Maturity - Investments should be scheduled to mature when funds are needed. Sale of securities prior to maturity should be avoided due to the inherent risk. Investments shall be limited to securities maturing in periods up to one year, or lesser period, that coincides with expected disbursements by the Town.
5. Amount - the best or most appropriate type of investment depends to some degree upon the amount available for investment, as certain investments require a large initial investment amount.
6. Administrative Cost - In choosing an investment, the Town must consider the administrative work involved, particularly with regard to investments of short duration. Substantial amounts can be invested for periods as short as one or two days. However, the administrative costs with small amounts may be greater than the return on investments, thus, would not be justified as cost effective. Administrative costs will be higher with more frequent turnover of investments and must be taken into account together with the yield and term in determining the optimum investment strategy.

f. Authority

- i. Under the general direction of the Treasurer, pursuant to Section 4.11 of the Londonderry Town Charter management responsibility for the Investment Program is hereby delegated to the Finance Director, who shall establish written procedures for the operation of the Investment Program, consistent with this Investment Policy. Such procedures shall include explicit delegation of authority to persons responsible for investment of transactions.
- ii. Such procedures shall include explicit delegation of authority to persons responsible for investment of transaction. The Town Treasurer may engage in an investment transaction except as provided under the terms of this Policy and the procedures



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established by the Finance Director.

- iii. The Finance Director shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

g. Prudence

- i. The standard of prudence to be used by investment officials shall be the “prudent person rule” and shall be applied in the context of managing an overall portfolio.
- ii. Investment officers acting in accordance with written procedures and exercising due diligence shall be relieved of the personal responsibility of an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

h. Ethics and Conflict of Interest

- i. Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the Investment Program, or which could impair their ability to make impartial investment decisions.
- ii. Employees and investment officials shall disclose to the Town Manager any material financial interests in financial institutions that conduct business within the Town and they shall further disclose any large personal financial investment positions that could be related to the performance of the Town portfolio.
- iii. Employees and officers shall subordinate their personal investment transactions to those of this Town, particularly with regard to the timing of purchases and sales.

i. Internal Controls

- i. The Finance Director shall establish a system of internal controls, which shall be documented in writing.
- ii. The internal controls shall be reviewed by the Town Council , Treasurer, and the independent auditor.
- iii. The controls shall be designed to prevent loss through fraud,



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employee error, misrepresentation by third parties, unanticipated changes in financial markets or imprudent action by employees and officers of the Town.

- j. Reporting
 - i. The Finance Director shall submit a quarterly Investment Report to the Treasurer and Town Manager which summarizes investment activities.
 - ii. Each quarterly report shall indicate any areas of policy concern and suggested or planned revision of investment strategies.
 - iii. Copies shall be available for review by the town's independent auditor.
 - iv. Within sixty (60) days of the end of the fiscal year, the Finance Director shall present a comprehensive annual report on the investment program and investment activity.

- k. Instruments - Assets of the funds of the Town may be invested in:
 - i. U.S. Treasury securities maturing in less than one (1) year.
 - ii. Fully insured or collateralized Certificates of Deposit (CDs) at commercial banks of the State of New Hampshire, New England region and the State of New York
 - iii. Repurchase agreements fully collateralized by U.S. Treasury Securities and/or agencies
 - iv. U.S. Securities directly backed and guaranteed by the U.S. Government
 - v. State of New Hampshire approved municipal investment pool
 - vi. Any other state approved pool or instrument.

- l. Depositories and Dealers
 - i. Depositories shall be selected through the Town's banking services procurement process, which may include a formal request for proposal issued upon periodic review of banking services.
 - 1. In selecting depositories, the credit worthiness of institutions shall be considered, including the current capital ratios of the institution.
 - 2. Bids for all investment transactions shall be in writing



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- 3. The Finance Director shall conduct a comprehensive review of the prospective depositories' credit characteristics and financial history.
 - ii. Before accepting funds or engaging in investment transactions with the Town, the supervising officer at each depository shall submit a certification.
 - 1. The document will certify that the officer has reviewed the Investment Policies of the Town and its objectives and agrees to disclose potential conflicts or risks to public funds that might arise out of business transactions between the depository and the Town.
 - 2. All financial institutions shall agree to undertake reasonable efforts to preclude imprudent transactions involving the Town's funds.
 - 3. The supervising officer shall agree to exercise due diligence in monitoring the activities of other officers and subordinate staff members engaged in transactions with the Town.
 - 4. Employees of any financial institution offering securities or investments to the Town shall be trained in the precautions appropriate to public sector investments and shall be required to familiarize themselves with the Town's investment policies, objectives, and constraints.

m. Collateralization of Deposits

- i. The Town shall require their depositories to continuously and fully (100%) secure all deposits regardless of type (i.e.: regular savings, checking, etc.) that are in excess of the FDIC insured amount. This may be accomplished by the pledging or setting aside collateral of identifiable U.S. Government securities as prescribed by the Town of Londonderry.
- ii. The Town has possession of the securities (or the Town will take possession of the securities) or an independent custodian (or an independent third party) holds the securities on behalf of the Town as a bailee (evidenced by safe keeping receipt and written bailment for wire contract) and will be maintained for the full term of the deposit.
- iii. Such securities shall be owned by the depository and the manner of



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collateralization shall provide the Town with continuing perfected security interest for the full term of the deposit in the collateral in accordance with applicable laws and Federal regulations.

n. Diversification

- i. It is the policy of the Town to diversify its investment portfolio to eliminate the risk of loss from over concentration in a specific security.
- ii. Diversification strategies shall be determined and revised periodically by the Finance Director and reviewed by the Town Council.

o. Risks

- i. The Town recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary loss of liquidity.
- ii. Portfolio diversification is to be employed in such a way as to control risk
- iii. The Finance Director is expected to display prudence in the selection of securities in such way as to minimize default risk.
- iv. No individual investment transaction shall be undertaken that jeopardizes the total capital position of the specific issuer.
- v. The Finance Director shall review and, if appropriate, proceed to liquidate securities having comparable credit risks.

p. Safekeeping and Custody

- i. To protect against potential fraud and embezzlement, the assets of the Town shall be secured through third-party custody and safekeeping procedures.
- ii. Unless prevailing practices or economic circumstances dictate otherwise, ownership shall be protected through third-party custodial safekeeping.
- iii. Safekeeping procedures shall be reviewed annually by the independent auditor.

16. COMMUNITY SERVICE GRANT PROGRAM

- a. The Town of Londonderry provides support to local social service agencies



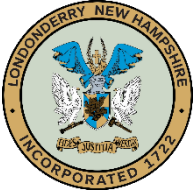
<p style="text-align: center;">COUNCIL POLICY</p> <p style="text-align: center;">Financial Management Policy</p>			
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through the **Community Service Grant Program**.

- b. This program is funded annually in the Town’s Operating Budget.
- c. Each year, as part of the distribution process of program funds agencies may submit proposals for funding consideration by the Town.
- d. Priorities for funding are set annually by the Budget Committee, as approved by the Town Council.

17. REVISION HISTORY

Original Adoption Date: November 4, 2002			
Section	Description of Revision	Date	Resolution
		08/13/2018	
		07/14/2003	



Town of Londonderry, New Hampshire
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Town Council Meeting – Agenda Item Coversheet

Meeting Date: 3/16/2026
Submitted By: TM Shaun Mulholland
Department: Town Manager

Contact Information: Email or Telephone
Estimated Discussion Time: 10 Minutes

Agenda Item Title: Discuss and set a public hearing to approve TC-100 Cash Investment Policy

Background and Purpose: The proposed **TC-100 Cash Management and Investment Policy** establishes a formal framework governing how the Town manages, safeguards, and invests municipal funds. The policy is designed to ensure that all Town funds are administered as a public trust and managed in a manner that prioritizes security, liquidity, and prudent financial stewardship.

This policy applies to all cash, cash equivalents, and investments held in the custody of the Town Treasurer, while recognizing statutory responsibilities related to the Trustees of Trust Funds under New Hampshire law.

Purpose of the Policy

The policy provides clear direction for the administration of the Town's cash management system. Its objectives are to:

- Protect the **safety of principal** as the foremost priority.
- Maintain sufficient **liquidity** to meet operational obligations and cash-flow needs.
- Achieve an appropriate **market rate of return** within the constraints of safety and liquidity.

In addition, the policy establishes standards for internal controls, investment authorization, banking relationships, reporting, and compliance with applicable New Hampshire statutes governing municipal financial management.

Operational Structure

Under the policy framework:

- The **Finance Director** is authorized to manage investment and banking relationships on behalf of the Town, consistent with applicable law and Council authorization.
- The **Town Treasurer** retains statutory custody of Town funds.
- The Finance Department will maintain internal controls, cash-flow forecasting, documentation standards, and audit oversight to ensure transparency and accountability.

The policy also identifies authorized investment instruments, collateralization requirements, and procedures for safekeeping Town funds to reduce risk and ensure compliance with state law.

Fiscal Management Benefits

Adoption of TC-100 will:

- Formalize the Town's cash management practices.
- Provide a clear governance framework for investment and banking activities.
- Strengthen internal controls and audit readiness.
- Promote responsible stewardship of taxpayer resources while maintaining operational liquidity.

The policy also requires annual review by the Town Council to ensure that practices remain aligned with legal requirements and evolving financial conditions.

Recommendation

I recommend that the Town Council approve Policy TC-100: Cash Management and Investment Policy. Adoption of this policy will provide a structured and transparent approach to managing Town funds and reinforce best practices in municipal financial management.

Action: Schedule a public hearing on April 6, 2026 and act on TC-100 Cash Management and Investment Policy.

Proposed Motion: *The Londonderry Town Council hereby schedules a public hearing on April 6, 2026 at 7 PM at Town Hall to receive public input and act on the proposed TC-100 Cash Management and Investment Policy.*

Attachments:

Town of Londonderry, New Hampshire
Council Policies and Procedures

Policy Title: Cash Management and Investment Policy

Policy Number: TC-100

Original Adoption Date: [To be assigned]

Revision Date: [To be assigned]

Approved by: Town Council

Section 1.0: Purpose

To ensure the administration of the Town's cash management system is handled as its highest public trust. The custody and investment of Town funds shall be made in a manner that provides the highest investment return with the maximum security of principal invested, while meeting the cash flow needs of the Town and conforming to applicable State law.

Section 2.0: Scope

General- This Policy applies to all cash, cash equivalents (assets that are readily convertible into cash) and investments in the custody of the Town Treasurer (NH RSA 41:29).

Exceptions- This Policy does not apply to cash, cash equivalents and investments in the custody of the Trustees of Trust Funds, which must formally adopt an investment policy that is reviewed and confirmed at least annually for all investments made by them or by their agents for any trust funds in their custody (NH RSA 31:25).

Pooling of Funds- The Town will consolidate cash for management purposes to achieve efficiency, effective management and maximum investment opportunity unless effective administration requires otherwise (such as accounting for bond proceeds associated with capital improvements). Ownership of cash, cash equivalents and investments shall be identified and accounted for by fund. Interest earnings shall be allocated at least annually on a proportional basis to the funds participating in the pooled investment program.

Section 3.0: Definitions

The following definitions apply to this Policy:

Cash Flow- A measure of cash inflow and outflow from the Town. Positive cash flow means more money is coming into the Town than is leaving; negative cash flow is the converse.

Banking Services- Account maintenance services (account analysis; reconciliation services; and daily collected funds reports), cash concentration services (lock-box; concentration account; sweep accounts), investment services (overnight repurchase facilities) and credit facilities.

Rate of Return- The amount of income received from an investment expressed as a percentage. Market rate of return is the yield that an investor can expect to receive in the current interest-rate environment utilizing a buy-and-hold to maturity investment strategy.

Fund- A segregated set of resources (revenues) and requirements (expenditures) that are legally restricted to specific uses. A fund is analogous to a filing cabinet with each drawer a separate fund.

Section 4.0: Policy Detail

Investment Objectives- It is the policy of the Town that Town funds be managed and invested with three primary objectives, in order of priority: safety, liquidity and yield. Effective cash management is recognized as essential to good fiscal management. The Town shall maintain a cash management system that includes collection of accounts receivable, prudent investment of available cash, management of banking services and disbursement of payments in accordance with invoice terms, the Town's purchasing policies and applicable law.

Selected Objectives

Safety of Principal- The foremost objective of this Policy. Each investment and/or depository transaction shall be undertaken in a manner that seeks first to ensure the preservation of capital in the overall portfolio.

Liquidity- The investment and/or depository portfolios shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

Yield- The investment and/or depository portfolios shall be designed with the objective of attaining a market rate of return considering investment risk constraints and liquidity needs. Return on investment is of least importance as an objective as compared to the safety and liquidity objectives.

Authority and Responsibilities

Authorized Representative of the Town- The Finance Director is authorized to act on behalf of the Town to execute, for the purpose of purchasing cash management products and services offered by a banking services provider, such applications, agreements, schedules, service requests and related documents, and amendments to such documents, in such forms as may be provided and/or required by the banking services provider and, in so doing, shall bind the Town to the terms and conditions of the cash management document(s) so executed, consistent with the authority granted by the Town Council and applicable law.

Authority to Issue Tax Anticipation Notes- The Town may issue tax and revenue anticipation notes in accordance with the Municipal Finance Act (NH RSA 33) and other applicable law, and authorized by the 1994 Town Meeting, subject to authorization by the Town Council and approvals required by law.

Electronic Payment- The payment of local taxes, utility charges, or other fees or charges by use of a credit card, debit card, or other means of electronic transaction is authorized in accordance with NH RSA 80:52-c or any other applicable State law. A service charge/convenience fee for the acceptance of such payments may be added to the amount due at the time of billing in addition to any penalties and interest payable; at the time of billing the amount of the service charge shall be disclosed.

Depository Designation- The Finance Director is responsible for designating the depository or depositories for Town funds in accordance with applicable law. Important considerations in the selection and retention of a banking services provider include credit-worthiness, credit characteristics, financial history, institutional capabilities, resources and relevant experience in managing the operational aspects of municipal cash management and investment needs and requirements. The Finance Director is responsible for investment and depository management decisions and activities including, but not limited to, the selection of acceptable depository and investment instruments in accordance with this Policy and State law.

Custody of Town Funds- The Town Treasurer shall have custody of all Town funds as provided by law.

Investment of Excess Town Funds- Whenever the Finance Director has in custody an excess of funds which are not immediately needed for expenditure, the Finance Director shall invest same in authorized investments in accordance with this Policy and State law.

Recording and Reporting- The Finance Director shall keep in suitable books provided for the purpose a fair and correct account of all sums received into and paid from the Town funds, and of all notes given by the Town, with the particulars thereof.

Independent Audit- At the close of each fiscal year, a report shall be made to the Town giving an account of all financial transactions during the year which shall be independently audited.

Standards of Care

Prudence- The standard of prudence to be used by the Finance Director shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. The Finance Director, acting in accordance with established procedures and this Policy, and exercising due diligence, shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided that deviations from expectations are reported in a timely fashion, that appropriate action is taken to control adverse developments, and that the liquidity and sale of securities are carried out in accordance with the terms of this Policy. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Position Bonding- The Finance Director and others as prescribed by State law shall be bonded by position under a blanket bond from a surety company authorized to do business in the State of New Hampshire (NH RSA 41:6). The bond shall indemnify against losses through the failure of Town employees covered to faithfully perform their duties or to account properly for all moneys or property received by virtue of their positions, or fraudulent or dishonest acts committed by the covered employees.

Internal Controls

Internal Control System- The Finance Director shall establish and maintain a system of internal controls that shall be reviewed annually with the independent auditors. The controls shall be designed to prevent loss of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees of the Town.

Cash Flow Forecasting- The Finance Director shall maintain a cash flow forecasting process designed to monitor and forecast cash positions for cash management and investment purposes.

Written Confirmation of Telephone and Electronic Transactions- Due to the potential for error and improprieties arising from telephone transactions, all telephone and electronic transactions shall be supported by written communications and approved by the appropriate person. Transactions made by telephone should be limited.

Documentation of Transactions- All transactions undertaken through this Policy shall be appropriately documented to facilitate review of the transactions by the independent auditors.

Authorized Investments

General- The Finance Director may invest in participation units in the public deposit investment pool established (NH RSA 383:22), or in deposits, including money market accounts, certificates of deposit, repurchase agreements, and all other types of interest-bearing accounts, of federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the State, or in obligations fully guaranteed as to principal and interest by the United States Government. The obligations may be held directly or in the form of securities of, or other interests in, any open-end or closed-end management-type investment company or investment trust registered under 15 U.S.C. section 80a-1 et seq., if the portfolio of the investment company or investment trust is limited to such obligations and repurchase agreements fully collateralized by such obligations. As additional types of securities are approved for investment by State law they will be eligible for investment by the Finance Director.

Maturities- Investment maturities shall be scheduled to coincide with projected cash-flow needs, taking into account anticipated revenue inflows, routine expenditures and large non-routine expenditures.

Safekeeping and Collateralization

- A. Town funds shall be secured in accordance with applicable State law, including NH RSA 41:29 and related provisions.
- B. **Interest-Bearing Deposits Meeting Certain Conditions-** Excess funds held by the Town may be invested in interest-bearing deposits which meet all of the following conditions: (a) The funds are initially invested through a federally insured bank chartered under the laws of New Hampshire or the federal government with a branch within the state, selected by the Finance Director. (b) The selected bank arranges for the redeposit of funds which exceed the federal deposit insurance limitation of the selected bank in deposits in one or more federally insured financial institutions located in the United States, for the account of the Finance Director. (c) The full amount of principal and any accrued interest of each such deposit is covered by federal deposit insurance. (d) The selected bank acts as custodian with respect to each such deposit for the account of the Finance Director. (e) On the same date that the funds are redeposited by the selected bank, the selected bank receives an amount of deposits from customers of other federally insured financial

institutions equal to or greater than the amount of the funds initially invested through the selected bank by the Finance Director.

- C. **Collateralization**- Excess funds held by the Town for deposit or investment, including repurchase agreements, may be secured by collateral having a value at least equal to the amount of such funds. Such collateral shall be segregated for the exclusive use of the Town. Only securities defined by the bank commissioner as provided by rules adopted pursuant to RSA 383-B:3-301(e) shall be eligible to be pledged as collateral.

D. **Annual Review**- This Policy, in accordance with NH RSA 47:6, shall be reviewed and readopted annually by the Town Council with revisions as warranted.

Section 5.0: Procedures

The Finance Director shall maintain written procedures and internal operating guidelines consistent with this Policy and applicable law, including:

1. Establishing and maintaining a cash flow forecast.
2. Executing investment transactions with approved counterparties and maintaining documentation.
3. Ensuring proper safekeeping and collateralization for all deposits and investments, as required by law.
4. Providing periodic reporting to the Town Manager and Town Council as requested and at least annually in conjunction with the annual audit.
5. Coordinating with the Tax Collector and other departments to align cash needs with investment maturities.

Section 6.0: References

NH RSA 31:25 Custody; Investment (Trust Funds).

NH RSA 33 Municipal Finance Act (Tax and Revenue Anticipation Notes and other debt).

NH RSA 41:6 Surety Bond Required.

NH RSA 41:29 Town Treasurer; Duties (Custody and investment of Town funds).

NH RSA 47:6 Financial Supervision (Policy review).

NH RSA 80:52-c Electronic Payment.

NH RSA 383:22 Public Deposit Investment Pool.

NH RSA 383-B:3-301(e) Banking Business (Eligible collateral).

Section 7.0: Policy & Procedure Revision History

Original Adoption Date: [To be assigned]

Section | Description of Revision | Date

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[All] | Original adoption | [To be assigned]

DRAFT



Town of Londonderry, New Hampshire
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Town Council Meeting – Agenda Item Coversheet

Meeting Date: 3/16/2026

Submitted By: TM Shaun Mulholland

Contact Information: Email or Telephone

Department: Town Manager

Estimated Discussion Time: 20 Minutes

Agenda Item Title: Discuss and set a Public Hearing to repeal Title V, Chapters I & II of the Londonderry Municipal Code and replace them with Chapter 4 Administrative Departments.

Background and Purpose: Article 4, Section 4.9, of the Town Charter requires the Town Manager to draft an ordinance entitled “Administrative Code,” which provides for the division of the administrative service of the Town into departments or agencies and define the functions and duties of each. Chapters I & II of the Administrative Code were adopted on June 21, 1999 and subsequently revised on February 9, 2004, March 28, 2005 and May 5, 2008. Article 8, Sections 8.9 and 8.10 in the Town Charter further articulate the process for reorganization plans.

Article 3, Section 3.10 of the Town Charter, entitled "Codification of Ordinances," requires the Town Council to prepare revisions to the Town Code every tenth year.

Both Chapters (Chapters I & II) are outdated and not representative of how many of the existing administrative functions of the Town are organized and operated. The Town Manager has proposed that the present Chapters I & II be repealed and replaced with a new Chapter 4 which will represent the first of a new number scheme for the Municipal Code.

Action: Schedule a public hearing to rescind Chapters I & II of Title V of the Municipal Code and adopt Chapter 4 Administrative Departments.

Proposed Motion: *MOVED, that the Londonderry Town Council hereby schedules a public hearing for April 6, 2026, at 7 PM at the Londonderry Town Hall to hear public input and repeal Chapters I & II of Title V of the Municipal Code and adopt Chapter 4 Administrative Departments of the Municipal Code.*

Attachments: Chapter 4 Administrative Departments

Chapter 4 Administrative Departments Appendix

Ordinance 2026-04

Chapter I, Title V Administrative Code-Legal Basis and Departmental Organization

Chapter II, Title V Administrative Code-Municipal Departments

Town of Londonderry – Administrative Code

Chapter 4 – Administrative Departments

SECTION 4.1 – PURPOSE AND AUTHORITY

Pursuant to Section 4.9(B) of the Londonderry Town Charter, this Chapter establishes the structure, mission, and responsibilities of administrative departments and their divisions to support accountable, efficient, and responsive service delivery for the residents of Londonderry. The Code aims to align internal organization with the Town’s strategic goals and to provide a transparent framework for municipal governance.

SECTION 4.2 – ORGANIZATIONAL STRUCTURE, MISSIONS, AND FUNCTIONS

Each department shall be guided by a mission aligned with the Town’s values and strategic objectives. Departments may include subordinate divisions or units and shall be managed by department heads appointed in accordance with the Charter and Town policy. Divisions may be created, renamed, reassigned, or dissolved by the Town Manager in accordance with this Code and budget appropriations. New departments or elimination of departments shall require Town Council approval.

SECTION 4.3 – TOWN MANAGER’S OFFICE – *Town Manager*

- A. **Mission:** To provide professional leadership and executive management to all departments and operations of the Town of Londonderry in alignment with the Town Charter, Council policy, and community values. The Town Manager’s Office ensures the efficient delivery of municipal services, fiscal integrity, organizational development, and the long-term success of strategic initiatives.
- B. **Core Functions:**
1. **Executive Leadership and Policy Implementation**
 - Serve as the Chief Administrative Officer of the Town, as established by the Town Charter and the provisions of RSA Chapter 37.
 - Execute and administer all applicable laws, ordinances, regulations and policies enacted by the Town Charter and the Town Council, the State of New Hampshire and of the United States of America.
 - Provide professional advice and policy recommendations to the Town Council on matters of strategic, operational, or fiscal importance.

- Direct all Town departments and divisions, except as otherwise provided by NH RSAs, ensuring coordination, performance accountability, and adherence to mission and objectives.
- Coordinate provision of services regarding general assistance in accordance with the provisions of RSA 165 or other related statutes.

2. Budgeting, Financial Oversight, and Capital Planning

- Prepare and present the Town's annual operating and capital budgets, including long-range financial forecasting.
- Monitor financial performance, oversee fiscal discipline, and align resource allocation with adopted goals and priorities.
- Manage department head collaboration in capital improvement planning, debt service strategies, and grant-funded projects.

3. Personnel Management and Organizational Development

- Appoint, evaluate, and, if necessary, remove department heads and key administrative staff, subject to Charter provisions.
- Administer the Town's personnel policies, compensation framework, organizational structure, and performance review systems.
- Foster a workplace culture of professionalism, ethics, equity, and continuous improvement.
- Support staff development, succession planning, and leadership training across all departments.

4. Strategic Planning and Interdepartmental Coordination

- Lead the implementation of the Town's strategic vision, ensuring cross-departmental collaboration to achieve measurable results.
- Facilitate alignment of department goals with Town Council priorities and statutory responsibilities.
- Support the use of LEAN, performance analytics, and project management tools to improve outcomes, efficiency and responsiveness.

5. Legislative Liaison and Council Support

- Prepare agendas, reports, and documentation for Town Council meetings.
- Coordinate with the Council Chair and members to ensure timely, accurate, and actionable information is available for decision-making.
- Ensure legal posting, public transparency, and compliance with RSA 91-A (Right-to-Know Law).

6. Community and Intergovernmental Relations

- Represent the Town with regional, state, and federal entities, including NHMA and state agencies.
- Respond to resident inquiries, business concerns, and constituent issues with professionalism and follow-through.
- Serve as a liaison to boards and commissions where administrative coordination is required.

7. Legal and Risk Management Oversight – *Risk Manager*

- Work with legal counsel to ensure compliance with applicable laws, charters, contracts, and administrative codes.
- Oversee risk mitigation strategies, insurance coverage, claims resolution, and crisis management functions.
- Manage enforcement and implementation of ordinances, codes, and administrative rules.

8. Communications, Public Transparency and Community Engagement – *Director of Administrative Services*

- Ensure timely and effective communication with the public, media, and stakeholders about Town initiatives and developments including management of the Town’s website.
- Promote the availability of public records, financial reports, and Council decisions in accessible formats.
- Utilize digital platforms to enhance transparency, civic engagement, and service accessibility.
- Respond to and provide government documents to persons requesting those documents.

SECTION 4.4 – RECREATION DEPARTMENT – *Recreation Director*

A. **Mission:** To enrich community life by providing inclusive, safe, and innovative recreational opportunities that promote health, wellness, and social connection for residents of all ages. Through stewardship of parks, facilities, and open spaces, and by fostering partnerships with schools, local organizations, and volunteers, the Department works to build community pride, encourage active lifestyles, and strengthen the Town’s identity as a vibrant and welcoming place to live.

B. **Core Functions:**

1. Program Development & Delivery

- Offer a diverse range of recreational, cultural, and educational programs tailored to youth, families, adults, and seniors.

- Provide seasonal events and activities that foster community traditions and civic pride.

2. Facility & Park Management

- Maintain and improve Londonderry's athletic fields, playgrounds, trails, open spaces, and recreational facilities.
- Ensure safe, accessible, and sustainable use of facilities for current and future generations.

3. Community Engagement & Inclusivity

- Encourage broad participation by removing barriers to access and ensuring affordability.
- Develop inclusive programs for residents of all abilities and backgrounds.
- Partner with schools, nonprofits, and local businesses to expand offerings.

4. Health, Wellness & Quality of Life

- Promote physical fitness, mental well-being, and healthy lifestyles through active recreation.
- Support social connections and intergenerational interaction through community events and volunteer opportunities.

5. Public Safety & Stewardship

- Prioritize safety in all programs, events, and facilities.
- Ensure proper staff training, compliance with regulations, and effective risk management.

6. Strategic Planning & Sustainability

- Plan for Londonderry's growing and changing population by assessing needs and tracking participation trends.
- Pursue grants, sponsorships, and partnerships to strengthen financial sustainability.
- Implement environmentally responsible practices in parks and programs.

SECTION 4.5 – FINANCE DEPARTMENT – *Finance Director / Controller*

- A. **Mission:** To safeguard public resources through sound fiscal management, accurate reporting, and comprehensive oversight of Town finances. Ensures the financial procedures of the Town comply with applicable federal and state law, NH Department of Revenue Administration administrative rules, Generally Accepted Accounting Principles (GAAP), Government Account Standards Board (GASB) pronouncements.

B. Core Functions:

1. Financial Management & Reporting

- Develop and manage the Town's operating and capital budgets; provide monthly/quarterly reporting and year-end financial statements in accordance with Generally Accepted Accounting Principles (GAAP), Government Accounting Standards Board (GASB) and Government Finance Officers Association (GFOA) best practices.
- Maintain the general ledger; manage accounts payable/receivable; oversee grant accounting and reporting.
- Coordinate external audits; implement internal control improvements.

2. Treasury, Cash & Debt Management

- Steward cash flow, banking, and investments; protect liquidity and safety of funds; administer debt and comply with continuing disclosure.

3. Procurement & Risk

- Ensure fair, competitive purchasing; enforce policy compliance; support departments with contract and risk review aligned to GFOA recommendations.

4. Assessing Division – *Chief Assessor (Property Valuation & Tax Administration)*

- Discover, list, and value taxable property using accepted mass appraisal practices to ensure fairness and equity.
- Administer exemptions, credits, current use, and abatements; maintain tax maps, deed/ownership changes, and public assessing records; support NH Department of Revenue Administration tax-rate setting.

5. Payroll & Employee Pay Services

- Process accurate, on-time payroll for all Town employees; manage timekeeping, deductions, and benefits interfaces.
- Ensure compliance with tax reporting (W-2, 1095-C where applicable), wage/hour laws, and collective bargaining agreements; maintain confidential personnel pay records consistent with internal controls.

6. Customer Service & Transparency

- Provide clear public information (budgets, CAFRs/ACFR, monthly reports) and responsive service to residents and staff; maintain a user-friendly financial reports portal.
- Coordinate the annual financial audit.

7. Financial Policy & Continuous Improvement

- Lead adoption and periodic review of financial policies (fund balance, reserves, investments, debt, procurement) and document procedures; champion process improvements across Finance, Assessing, and Payroll.

SECTION 4.6 – PLANNING & ECONOMIC DEVELOPMENT

DEPARTMENT – *Director of Planning & Economic Development*

A. **Mission:** To protect public health and safety, steward Londonderry’s natural and built environment, and advance a resilient, business-friendly local economy by delivering timely, consistent land use planning, zoning administration, permitting, inspections, and code compliance—while providing clear guidance to residents, businesses, and boards through transparent, customer-focused service.

B. **Core Functions:**

1. Long-Range & Current Planning

- Lead comprehensive and master planning; integrate land use, housing, transportation, conservation, and economic development goals.
- Prepare and update zoning and land-use ordinances, maps, and related policies; conduct public hearings and stakeholder engagement.
- Review site plans, subdivisions, and special/conditional permits for consistency with regulations and the Master Plan; issue staff reports and recommendations.
- Maintain data, GIS layers, and development metrics to support evidence-based decisions and continuous process improvement.

2. Economic Development

- Lead business retention, expansion, and attraction; serve as a concierge for permitting and site selection.
- Coordinate incentives, infrastructure readiness, and workforce/partner programs to grow the tax base and quality jobs.
- Market Londonderry’s assets; track project pipelines and outcomes (investment, jobs, tax impact).

3. Building & Code Enforcement Division – *Chief Building Official (Building & Life-Safety Permitting and Inspections)*

- Administer building, electrical, mechanical, plumbing, and related permits; perform plan review and inspections to applicable codes.
- Provide technical assistance to applicants; ensure fair, consistent, and timely service delivery.

- Maintain records; issue certificates of occupancy and compliance.
- Proactively and responsively enforce health, safety, property maintenance, housing, zoning, and related ordinances.
- Emphasize education first; use equitable and impartial enforcement to achieve compliance and protect neighborhood quality.
- Coordinate cross-department responses for complex cases.

4. **Health Officer Functions – *Health Officer***

- Enforce public health statutes and local health ordinances; investigate nuisances and sanitary conditions in dwellings, commercial properties, schools, and public places.
- Coordinate with NH DHHS and NH DES on inspections, disease control, environmental health issues, and emergency preparedness.
- Educate the public and advise Town leadership/boards on health matters.

5. **Zoning Administration & Enforcement**

- Interpret and administer the Zoning Ordinance; issue zoning determinations and enforcement actions.
- Review applications for variances, special exceptions/permits, and appeals; prepare staff analyses.
- Maintain zoning maps and public guidance materials.

6. **Board/Committee/Commission Support & Coordination**

- Provide staffing, scheduling, noticing, packets, technical guidance, and minutes for:
 - Planning Board
 - Zoning Board of Adjustment
 - Conservation Commission
 - Capital Improvements Plan (CIP) Committee
 - Master Plan Steering Committee
 - Heritage/Historic District Commission

SECTION 4.7 – PUBLIC WORKS DEPARTMENT – *Director of Public Works & Municipal Facilities*

- A. **Mission:** To safeguard and enhance Londonderry’s quality of life by planning, building, and maintaining reliable public infrastructure; delivering responsive, customer-focused services; and stewarding town assets and the environment with professionalism, fiscal discipline, and continuous improvement.
- B. **Core Functions:**

1. Roadway & Bridge Operations

- Maintain, repair, and improve town roads, bridges, sidewalks, signs, and pavement markings; deliver 24/7 winter operations for safe mobility.

2. Stormwater & Drainage

- Plan, operate, and maintain stormwater systems; comply with state and federal permits; reduce flooding and protect water quality.

3. Sewer Collection System

- Operate, maintain, and repair the Town's sewer collection system, including gravity mains, force mains, manholes, and pump stations.
- Ensure compliance with federal and state regulations (EPA, NHDES).
- Coordinate agreements with wastewater treatment facilities receiving and processing the Town's wastewater for reliable flow and capacity management.
- Implement preventive maintenance programs, inspections, and condition assessments to minimize infiltration/inflow and extend system life.

4. Solid Waste & Recycling

- Operate transfer / recycling services; promote diversion, waste reduction, and safe handling. Coordinate and oversee the curbside solid waste and recycling program.

5. Engineering Division – *Director of Engineering*

- Plan, design, permit, bid, and manage capital improvements; ensure safety, code compliance, and lifecycle value.
- Conduct plan review for proposed residential and commercial site and subdivision applications.

6. Traffic & Transportation

- Manage traffic control devices and roadway markings; coordinate with regional partners on mobility, safety, and accessibility.

7. Buildings, Grounds & Cemeteries

- Maintain public grounds and cemeteries to safe, clean standards.

8. Facilities Maintenance

- Maintain and operate Town-owned buildings, including Town Hall, Police, Fire, Library, and community facilities.
- Provide custodial, mechanical, electrical, and structural upkeep to ensure safe, efficient, and accessible environments for staff and the public.
- Support energy management, preventive maintenance, and capital improvements that extend facility lifespans and reduce operating costs.

9. Fleet & Equipment

- Procure, maintain, and manage town DPW fleet and equipment for reliability and cost effectiveness.

10. Environmental Stewardship & Compliance

- Meet or exceed environmental, health, and safety standards; advance resilience and sustainability.

11. Customer Service & Emergency Response

- Provide timely responses to resident requests; coordinate multi-agency response for weather and other incidents.

12. Asset Management & Performance

- Maintain townwide inventories, condition ratings, and data-driven maintenance plans; track KPIs and transparently report results.

13. Public Trees (Tree Warden)

- Care for, maintain, protect, and perpetuate shade and ornamental community trees and shrubs in town public ways, town commons, parks, cemeteries, and other public grounds.
- Conduct the process for the removal of hazardous trees.

14. Water Distribution Coordination

- Although the Town does not operate the water distribution systems directly, the DPW coordinates closely with the three entities that provide water service to Londonderry:
 - Pennichuck Water Works
 - Manchester Water Works
 - Derry Department of Public Works
- Coordinate responsibilities such as:

- Joint planning for infrastructure projects to reduce duplication of work and avoid disruption to residents.
- Information sharing on pavement restoration, hydrant operations, and emergency repairs.
- Developing consistent standards for trenching, backfilling, and road restoration.
- Serving as a liaison between water utilities and Londonderry residents to ensure clear communication and effective service delivery.
- Applying for grants to expand the water distribution system to those areas where it is needed.

SECTION 4.8 – FIRE DEPARTMENT – *Fire Chief*

A. **Mission:** To protect lives and property through effective fire suppression, emergency medical response, rescue services, code compliance, and community preparedness.

B. **Core Functions:**

1. Emergency Response / Fire Suppression

- Respond to structural and wildland fires, vehicle fires, and hazardous condition calls.
- Execute search and rescue operations in life-threatening environments.
- Operate and maintain engines, ladders, and specialty apparatus for firefighting and technical response.
- Conduct rapid deployment for alarms, reported smoke conditions, gas leaks, and mutual aid calls.
- Maintain readiness through continuous shift training and apparatus checks.

2. Emergency Medical Services (EMS)

- Provide Basic Life Support (BLS) and Advanced Life Support (ALS) at the paramedic level to medical emergencies, accidents, and trauma incidents.
- Operate as the Town's primary emergency ambulance transport provider.
- Partner with local hospitals and regional EMS systems to ensure continuity of patient care.
- Maintain licensing, certification, and training for all EMS personnel in compliance with NH Department of Safety, Division of Fire Standards and Training and EMS.
- Monitor emerging health threats and coordinate medical response to public health events.

3. Emergency Management / Homeland Security – *Emergency Management Director*

- Plan, coordinate, and implement all-hazards emergency management across four phases: mitigation, preparedness, response, and recovery.
- Maintain the Town's Emergency Operations Plan (EOP), Continuity of Operations Plan (COOP), Disaster Recovery Plan and Hazard Mitigation Plan.
- Collaborate with regional, state, and federal partners including FEMA, NH HSEM, and mutual aid districts.
- Manage community preparedness programs, mass notification systems, and emergency shelters.
- Lead interdepartmental coordination during natural disasters, major incidents, or critical events.

4. Fire Prevention and Code Enforcement

- Conduct inspections of new and existing buildings to ensure compliance with adopted fire codes (NFPA 1 & 101, NH State Fire Code).
- Review building plans and permit applications for code compliance.

SECTION 4.9 – POLICE DEPARTMENT – *Police Chief*

A. **Mission:** To preserve public safety, enforce laws, and build trust through professional policing, community engagement, and crime prevention.

B. **Core Functions:**

1. Patrol Operations

- Maintain 24/7 uniformed police presence throughout the Town.
- Respond to calls for service, including emergencies, non-emergencies, motor vehicle crashes, and suspicious activities.
- Use data driven strategies to enforce traffic laws and conduct proactive patrols to deter crime and promote public safety.
- Conduct wellness checks, neighborhood patrols, business checks, and directed enforcement as needed.

2. Criminal Investigations

- Investigate major crimes including assaults, thefts, burglaries, drug offenses, fraud, and other felonies.
- Collect and process physical and digital evidence in accordance with legal and procedural standards.
- Conduct interviews, surveillance operations, and execute search warrants in collaboration with judicial and prosecutorial agencies.
- Work closely with the County Attorney, Attorney General's Office, and federal law enforcement partners.

- Maintain case files and ensure all investigative actions support prosecution and justice outcomes.

3. Juvenile & School Resource Services

- Assign School Resource Officers (SROs) to public schools in partnership with the School District.
- Promote positive youth-police relationships and assist in maintaining a safe learning environment.
- Address juvenile-related offenses through early intervention, restorative justice referrals, and coordinated services with DCYF and youth organizations.
- Provide educational programming on safety, law, and drug prevention in school and community settings.

4. Community Policing & Public Engagement

- Promote crime prevention through education, outreach, and partnerships with neighborhoods and civic groups.
- Organize and participate in community events.
- Serve as liaisons to vulnerable populations including seniors, domestic violence victims, and persons with behavioral health needs.
- Build trust and cooperation through transparency, communication, and consistent presence.

5. Specialized Units & Tactical Response

- Maintain specialized capabilities such as K-9 operations, accident reconstruction, cybercrime, and drug interdiction.
- Participate in regional mutual aid efforts and special operations groups (e.g., tactical teams, regional task forces).
- Provide dignitary protection, protest management, and high-risk warrant services as required.
- Support critical incident response and multi-agency coordination during major emergencies.

6. Communications & Dispatch

- Operate a communications center police and DPW calls.
- Maintain accurate CAD (Computer Aided Dispatch) records and ensure effective resource deployment.
- Coordinate mutual aid requests and communicate with regional and state agencies.
- Serve as a vital information hub during emergencies, ensuring timely relay of data to field personnel.

7. Records & Administrative Services

- Maintain arrest logs, incident reports, citations, motor vehicle crash data, and evidence chain-of-custody.
- Administer licensing, background checks, pistol permits, and other statutory services.
- Ensure NIBRS (National Incident-Based Reporting System) and UCR compliance.

8. Professional Standards & Training

- Provide initial and ongoing officer training in accordance with NH Police Standards and Training Council (PSTC) mandates.
- Promote officer wellness, leadership development, and use-of-force de-escalation practices.
- Maintain internal affairs and professional conduct processes to uphold public trust.
- Regularly review policies, SOPs, and equipment for effectiveness, legality, and alignment with community expectations.

SECTION 4.10 – HUMAN RESOURCES DEPARTMENT – *Human Resources Director*

A. **Mission:** To attract, develop, retain and support a high-performing, ethical workforce that delivers excellent public service. We do this by partnering with departments to recruit and retain talent, fostering a fair and respectful workplace, championing employee growth and well-being, and continuously improving our processes to provide timely, compliant, and customer-focused HR services for the Town's workforce.

B. Core Functions:

1. Workforce Planning & Talent Acquisition

- Conduct strategic staffing and workforce analytics; perform job analysis and classification.
- Recruit, select, and onboard employees inclusively, ensuring retention from requisition through the first year.

2. Compensation, Benefits & HRIS

- Administer competitive pay; conduct market reviews and ensure internal equity.
- Manage benefits (health, retirement, leave, wellness); coordinate HRIS and payroll; govern data effectively.

3. Employee & Labor Relations

- Administer policies and provide consultation to managers and employees.
- Manage union relations and contract administration; conduct investigations; apply progressive discipline and handle grievances.

4. **Learning, Performance & Organizational Development**

- Deliver orientation, training, coaching, and succession planning.
- Implement performance management systems and metrics; facilitate leadership development and team building.
- Drive continuous improvement through LEAN events, standard work, and process mapping.

5. **Diversity, Equity, Inclusion & Belonging (DEIB)**

- Ensure EEO/ADA compliance; conduct proactive outreach and improve accessibility.
- Educate and implement practices that foster an inclusive and respectful culture.

6. **Safety, Risk & Compliance**

- Run workplace safety programs; coordinate workers' compensation and facilitate the Joint Loss Management Committee (JLMC).
- Comply with federal, state, and local employment laws (FLSA, FMLA, ADA, Title VII, etc.) and complete required reporting.

7. **Employee Experience, Engagement & Recognition**

- Launch wellness initiatives; conduct engagement surveys and develop action plans.
- Implement recognition programs; manage internal communications in partnership with departments.

8. **HR Operations & Customer Service**

- Manage records and retention; verify employment.
- Maintain service-level standards, dashboards, and public-facing transparency (KPIs, time-to-hire, training completion).
- Oversee vendor and contract management for HR services.

SECTION 4.11 – SENIOR AFFAIRS DEPARTMENT – *Director of Senior Affairs*

- A. **Mission:** To support, empower, and enrich the lives of older adults throughout our community by ensuring access to vital services, fostering meaningful social connection, promoting health and wellness, and preserving dignity and independence for all seniors.

B. Core Functions:

1. Oversees the Senior Center

- Manages daily operations, programming, and facility maintenance of the Senior Center to ensure a welcoming and safe environment for older adults.
- Facilitates partnerships with local organizations, volunteers, and service providers to expand offerings and resources available at the Senior Center.
- Ensures accessibility and inclusivity for seniors of all backgrounds and abilities.

2. Program Delivery

- Develops and implements a diverse range of programs focused on health, wellness, education, and social connection for seniors.
- Organizes workshops, support groups, and informational sessions on topics relevant to older adults (e.g., financial planning, technology, safety).
- Provides opportunities for intergenerational activities and community involvement.
- Evaluates program effectiveness and adapts offerings based on participant feedback and emerging needs.

3. Nutrition Support and Advocacy Services

- Coordinates meal programs, such as congregate dining and home-delivered meals, to address food insecurity and promote nutrition among seniors.
- Serves as primary liaison to Meals on Wheels for Londonderry.
- Advocates for seniors' access to essential services, benefits, and community resources.
- Assists with referrals to social services, healthcare providers, and support agencies as needed.

SECTION 4.12 – CYBER SERVICES DEPARTMENT – *Cyber Services Director*

A. **Mission:** To provide secure, innovative, and reliable technology solutions that enhance the efficiency, transparency, and service delivery of all Town departments, while safeguarding data integrity, privacy, and cyber resilience for the Town of Londonderry.

B. Core Functions:

1. Cybersecurity Management

- Implement and maintain robust network security architecture (firewalls, intrusion detection, endpoint protection).

- Monitor threats and manage incident response, including phishing and ransomware defenses.
- Ensure regulatory compliance with cybersecurity standards (e.g., CJIS, NIST).

2. Infrastructure and Systems Administration

- Manage servers, storage systems, backups, and cloud infrastructure supporting Town operations.
- Maintain Town-owned networking infrastructure (LAN/WAN, switches, routers, wireless access).
- Support voice and communication platforms including telephony and email systems.

3. Application and Software Support

- Administer and support enterprise applications (e.g., ERP, GIS, permitting, financial systems).
- Coordinate with departments on new technology needs, upgrades, and system integrations.
- Maintain licensing, patch management, and version control of all software assets.

4. User Support and Training

- Provide helpdesk services and on-site/user-level technical support.
- Deliver training to Town staff on cybersecurity awareness and effective software use.
- Support onboarding/offboarding of employee technology accounts and devices.

5. Strategic Planning and Innovation

- Lead technology planning efforts aligned with Town priorities and budget.
- Recommend and implement digital transformation initiatives to improve public service delivery.
- Evaluate emerging technologies to enhance municipal operations and reduce costs.

6. Data Governance and Business Continuity

- Maintain secure, accessible, and well-structured data assets across departments.
- Implement and routinely test disaster recovery and continuity of operations plans.
- Support open data, transparency, and records management compliance.

SECTION 4.14 – CABLE DEPARTMENT – *Cable Director*

A. **Mission:** To provide reliable, transparent, and accessible cable television and media services that inform, educate, and engage the residents of Londonderry. The Cable Department supports government transparency, community connection, and public participation through the management of local broadcast channels and digital media platforms.

B. **Core Functions:**

1. **Cable Channel Operations**

- Manage the daily operation and programming of the Town’s cable television channels, ensuring timely broadcast of government meetings, community events, and public service announcements.
- Maintain broadcast schedules, video archives, and on-demand access to recorded content.
- Ensure compliance with FCC regulations and local policies governing cable operations

2. **Production & Technical Services**

- Oversee the recording, editing, and production of video content for Town departments, boards, and commissions.
- Provide technical support for live broadcasts, remote meetings, and multimedia presentations.
- Maintain and upgrade equipment and software to ensure high-quality audio and video delivery.

3. **Community Engagement & Public Information**

- Promote public awareness of Town initiatives, services, and events through cable and digital media.
- Facilitate opportunities for residents to participate in programming, submit content, and provide feedback.
- Collaborate with schools, nonprofits, and local organizations to expand educational and cultural offerings.

4. **Transparency & Accessibility**

- Ensure government meetings and proceedings are broadcast live and archived for public access.
- Provide closed captioning, translation, and other accessibility features as required.

- Respond to resident inquiries and requests for cable-related information and services.

SECTION 4.15 – OFFICE OF THE TOWN CLERK AND THE TAX COLLECTOR – *Town Clerk (elected) and Tax Collector (appointed)*

A. **Mission:** To provide accurate, transparent, and accessible services to residents, businesses, and municipal departments through responsible stewardship of official records, fair and efficient tax collection, and the administration of election processes, in full compliance with state and local statutes.

B. **Core Functions:**

1. **Clerk Services (Town Clerk Function)**

- **Vital Records Management**
 - Register and issue certified copies of birth, marriage, and death records in accordance with RSA 5-C.
- **Licensing and Permits**
 - Process dog licenses, marriage licenses, landlord registry and other statutory filings.
- **Public Records Custody**
 - Serve as the custodian of official Town records, ordinances, resolutions, and minutes.
- **Town Council and Election Support**
 - Record and archive Town Council legislative actions.
 - Prepare public notices and legal postings in accordance with open meeting law.

2. **Election Administration (Town Clerk Function)**

- **Conduct Administrative Coordination of Local, State, and Federal Elections**
 - Maintain voter registration lists and coordinate polling operations under RSA 659.
 - Works under the general direction of the Town Moderator
- **Ballot Preparation and Reporting**
 - Oversee absentee voting, ballot custody, and election result certification.

3. **Tax Collection (Tax Collector Function)**

- **Billing and Collection of Property Taxes**
 - Issue semi-annual tax bills and collect revenues in accordance with RSA 76.
- **Lien and Deed Enforcement**

- Process tax liens and deeding procedures while ensuring due process protections.
- **Escrow Coordination and Mortgagee Notifications**
 - Coordinate with banks, mortgage servicers, and escrow agents for timely tax payments.
- **Refunds, Overpayments, and Abatements**
 - Issue appropriate tax refunds and credits, and process abatements in cooperation with the Assessing Division.

4. Customer Service

- **Resident-Focused Service**
 - Provide counter, mail, phone, and online support for all Town Clerk and Tax services.
- **Online Transactions**
 - Support online dog licensing, tax payments, and record requests to increase accessibility and convenience.
- **Data Accuracy and Records Retention**
 - Ensure accuracy, compliance and integrity of government documents and adhere to NH record retention schedules.

5. Motor Vehicle Agent (NH DMV Agent of Record)

- Serve as a municipal agent for the State of New Hampshire Division of Motor Vehicles.
- Process vehicle registrations, including new, renewal, and transfer transactions.
- Collect and remit municipal and state fees associated with motor vehicle operations.
- Validate and issue temporary plates, decals, and registration documents in compliance with RSA 261.
- Coordinate with the NH DMV to ensure compliance with rules for title applications, plate issuance, and registration accuracy.
- Educate residents on vehicle registration procedures and assist with documentation requirements.

SECTION 4.16 – POWERS AND DUTIES

- A. **Department Heads** are responsible for strategic leadership, program management, and budgetary compliance for their respective departments.
- B. **Divisions** may be added, removed, or reorganized by the Town Manager for administrative efficiency, consistent with the adopted budget and policies.
- C. **Mission Alignment:** Each department shall maintain a written mission statement and annual performance plan aligned with Town goals and subject to review by the Town Manager.

- D. **Cross-Department Coordination:** Departments shall share administrative or technical services where appropriate to improve efficiency and service delivery. The expectation is that departments will work collaboratively to achieve the overall objectives of the Town.

SECTION 4.17 – STAFFING AND PERSONNEL

All staffing decisions shall follow the Town Charter, personnel policies, and applicable state law. Department heads shall be responsible for hiring, training, evaluation, succession planning and oversight of personnel within their departments under the direction of the Town Manager.

SECTION 4.18 – TRANSITIONAL PROVISIONS

- A. The Department of Engineering & Environmental Services is dissolved and reconstituted as the Engineering Division under the Department of Public Works.
- B. The Assessing Department is dissolved and reconstituted as the Assessing Division under the Finance Department.
- C. The Building Department is dissolved and reconstituted as the Building and Code Enforcement Division under the Department of Planning & Economic Development.
- D. All references in ordinances, contracts, or policies to the former departments shall be interpreted as referring to their successor divisions.
- E. These changes shall be implemented without disruption to services or personnel, under the supervision of the Town Manager.

SECTION 4.19 – BUDGET MANAGEMENT AND FISCAL RESPONSIBILITY

Department heads have an obligation to be fiscally responsible in the expenditure of public funds, stewardship of those funds and the conservation of public resources. Department heads are required to operate within the approved budget for the department and not over expend the authorized budget without approval of the Town Manager.

LEGISLATIVE HISTORY

Originally adopted by the Londonderry Town Council on June 21, 1999

Revision History: February 9, 2004, March 28, 2005, May 5, 2008

Rescission of Chapters I and II of Title V on February 2, 2026

Adoption of Chapter 4 on February 2, 2026

Appendix A & B

Federal and State Statutory & Regulatory References

Appendix A

Federal and State Statutory & Regulatory References for Departmental Authority

This Appendix is provided to supplement the Londonderry Administrative Code. It identifies the primary federal and state legal authorities that govern or guide the functions of each municipal department. It is not exhaustive and should be updated periodically as statutes and regulations change.

Town Manager's Office

- RSA 37 – Town Manager authority.
- RSA 91-A – Right-to-Know Law (public access to records and meetings).
- RSA 165 – Local welfare/general assistance.
- RSA 31:39 – General municipal ordinance authority.

Recreation Department

- RSA 35-B – Establishment and administration of recreation systems.
- RSA 202-A:4-c – Authority regarding public recreational facilities.
- Federal: ADA accessibility requirements for public facilities.

Finance Department

- RSA 32 – Municipal Budget Law.
- RSA 33 – Municipal Finance Act (debt issuance).
- RSA 41:9 – Authority over financial policies.
- NH Department of Revenue Administration – Rules governing municipal finance and tax rate setting.
- Federal: GAAP & GASB standards; 2 CFR 200 (Uniform Guidance for federal grants); Single Audit Act.

Planning & Economic Development

- RSA 674 – Local land use planning and regulatory powers.
- RSA 676 – Administration and enforcement of zoning and planning.

- RSA 147 – Local health officer authority.
- RSA 155-A – State Building Code.
- RSA 155-B – Fire Safety Code.
- Federal: NFIP (Floodplain); EPA Clean Water Act; ADA.

Public Works

- RSA 231 – Highways and bridges.
- RSA 149-I – Sewer systems.
- RSA 485-A – Water pollution and NPDES compliance.
- RSA 31:39-c – Solid waste ordinances.
- Federal: EPA Clean Water Act (stormwater, wastewater); EPA MS4 Stormwater Permit; OSHA standards.
- Federal: Manual of Uniform Traffic Control Devices (MUTCD)

Fire Department

- RSA 154 – Firewards and fire departments.
- RSA 21-P – Department of Safety; Homeland Security & Emergency Management.
- RSA 153 – Fire Marshal authority.
- Federal: NFPA 1 & 101; FEMA/NIMS/ICS; OSHA fireground standards.

Police Department

- RSA 105 – Police officers.
- RSA 106-L – Police Standards and Training Council.
- RSA 91-A – Records access requirements.
- Federal: FBI CJIS Security Policy; Federal civil rights statutes (Title VI, 42 U.S.C. §1983); DOJ data handling.

Human Resources Department

- RSA 273 – Labor laws.
- RSA 275 – Protective legislation (wages and labor).
- RSA 354-A – Human Rights Act (discrimination).
- Federal: FLSA; FMLA; ADA; Title VII; OSHA; ACA.

Senior Affairs Department

- RSA 161-F – Services for the elderly.
- Federal: Older Americans Act; ADA accessibility requirements.

Cyber Services Department

- RSA 91-A – Access to government records, including electronic data.
- Federal: NIST Cybersecurity Framework; DOJ CJIS Security Policy; HIPAA (where applicable); FISMA best practices.

Town Clerk / Tax Collector

- RSA 5-C – Vital records.
- RSA 41:16 – Duties of clerks.
- RSA 76 – Tax collection.
- RSA 80 – Tax liens and deeding.
- RSA 652–669 – Elections and voting administration.
- RSA 261 – Motor vehicles.
- Federal: NVRA; HAVA; IRS reporting (tax collections).

Appendix B

Statutory and Regulatory Compliance Matrix by Department

Department	Key NH Statutes (RSAs)	Federal Laws / Regulations
Town Manager’s Office	RSA 37; RSA 91-A; RSA 165	FOIA; Federal civil rights obligations
Recreation	RSA 35-B; RSA 202-A:4-c	ADA
Finance	RSA 32; RSA 33; RSA 41:9	GAAP/GASB; 2 CFR 200; Single Audit Act
Planning & Economic Development	RSA 674; RSA 676; RSA 147; RSA 155-A	EPA Clean Water Act; NFIP; ADA
Public Works	RSA 231; RSA 149-I; RSA 485-A; RSA 31:39-c	EPA Clean Water Act; MS4; OSHA
Fire	RSA 154; RSA 153; RSA 21-P	NFPA 1 & 101; FEMA/NIMS; OSHA

Police	RSA 105; RSA 106-L; RSA 91-A	FBI CJIS; Title VI; 42 U.S.C. §1983
Human Resources	RSA 273; RSA 275; RSA 354-A	FLSA; FMLA; ADA; Title VII; OSHA; ACA
Senior Affairs	RSA 161-F	Older Americans Act; ADA
Cyber Services	RSA 91-A	NIST; DOJ CJIS; HIPAA; FISMA
Town Clerk / Tax Collector	RSA 5-C; RSA 41:16; RSA 76; RSA 80; RSA 652-669; RSA 261	HAVA; NVRA; IRS reporting

CHAPTER I - LEGAL BASIS AND DEPARTMENTAL ORGANIZATION

SECTION I LEGAL BASIS

A.

This Administrative Code is established in accordance with the provisions of the Londonderry Town Charter.

SECTION II ADMINISTRATIVE DEPARTMENTS

- A. A department shall be a legal subdivision of the Town government usually performing a variety of inter-related functions with multiple staff positions.
- B. A departmental division shall have a single primary function.
- C. The administrative services of the Town shall consist of the following groups, and departments. Groups and departments may be divided into divisions or bureaus as provided herein or as provided by the Town Charter.

<u>Group/.Department/Division</u>	<u>Department/Division Head</u>
1. Administration	Town Manager
2. Community Services Group	Town Manager
a. Divisions:	
Cable	Cable Coordinator
Recreation	Recreation Director
Family Mediation	Fam.Med. Coordinator
Senior Affairs	Senior Affairs Coordinator
3. Finance & Administration Group	Asst. Town Manager, Finance & Admin.
a. Divisions:	
MIS	MIS Director
Finance	Asst. Town Mgr./Fin. & Admin.
Town Clk/Tax Collector	Town Clerk/Tax Collector
Assessing	Assessor
Treasury	Treasurer
General Assistance	Asst. Twn. Mgr./Fin. & Adm.
Human Resources	Asst. Twn. Mgr./Fin. & Adm

CHAPTER I - LEGAL BASIS AND DEPARTMENTAL ORGANIZATION (Cont'd)

SECTION II ADMINISTRATIVE DEPARTMENTS (Cont'd)

C. The administrative services of the Town shall consist of the following groups and departments: (Cont'd)

	<u>Group/Department/Division</u>	<u>Department Head</u>
4.	Community Development & Comm. Development Director a. Divisions: Planning Economic Development Conservation Land Mgt GIS Building/Health/Zoning	
5.	Public Works Department a. Divisions: Environmental Services Engineering Highway/Bridges	Public Works Director Environmental Engineer Town Engineer Highway Foreman
6.	Fire & Rescue Department a. Divisions: Code Enforcement Emergency Medical Svcs. Operations Public Education	Fire Chief
7.	Police Department a. Divisions: Operations Division Support Services Division	Police Chief
8.	Leach Library	Library Trustees

CHAPTER I - LEGAL BASIS AND DEPARTMENTAL ORGANIZATION (Cont'd)

SECTION III POWERS AND DUTIES OF DEPARTMENT HEADS

- A. Each department head shall be responsible for the efficient operation of their department. They shall perform all the duties and exercise all the powers conferred upon their office by applicable laws, ordinances and resolutions.
- B. Department heads may prescribe departmental rules and regulations not inconsistent with general law, the Town Charter, this Administration Code, and the provisions of the Personnel Policy for the administration of their various departments, conduct of their employees, and the proper performance of the department's business.
- C. Department heads, with the approval of the Manager and by Council amendment to the Administrative Code, may establish such departmental divisions, bureaus or other sub-units as may be deemed desirable in the interest of economy and efficiency and in accordance with sound administrative principals and practices.
- D. Each department head shall be responsible for maintaining the operation of their department on a close and friendly basis of cooperation with all other departments and with the public.
- E. Each department head shall be responsible for satisfactory maintenance and care of all Town property and buildings assigned to their department.
- F. Each department head shall be responsible for preparing and submitting both routine and special reports on the operation of their department to the Manager, Town Council, or to any State or Federal Agency as required.
- G. At such time as may be requested by the Manager, each department head shall submit an itemized estimate of the expenditures for the next fiscal year for their department for use in preparation of the proposed budget for said year, including planned expenditures for Capital Improvements.
- H. Each department head shall be responsible for following the provisions of this Administrative Code and Town Policy in establishing a purchasing and control system with respect to purchases and contracts for his/her department.
- I. Each department head shall be responsible for management of divisional functions within that department.

CHAPTER I - LEGAL BASIS AND DEPARTMENTAL ORGANIZATION (Cont'd)

SECTION IV SELECTION, QUALIFICATION, COMPENSATION AND TERMS OF OFFICE OF DEPARTMENT HEADS AND OTHER PERSONNEL

- A. All department heads shall be appointed as provided by the Londonderry Town Charter for indefinite terms on the basis of merit and fitness to perform their duties and may be removed by the Manager as provided for by the Londonderry Town Charter, State Law and the Personnel Policy.
- B. The compensation of all department heads and non represented personnel shall be fixed in accordance with the Personnel Policy.

SECTION V DEPARTMENT STAFFS

- A. Department Heads may establish subordinate positions, make appointments and removals as necessary, within the limitations of the appropriations provided and subject to the provisions of the Town Charter, the Personnel Policy and approval of the Manager.
- B. All employees shall be under the supervision of their respective department heads, and all employees in the Town's service shall be compensated in accordance with the Personnel Policy and/or the appropriate collective bargaining unit agreement.

~~End of Section~~

CHAPTER II - MUNICIPAL DEPARTMENTS

SECTION I ADMINISTRATION

A. Town Manager Responsibilities

1. The Manager shall be the administrative head of the Town, and shall perform all the duties and have all the responsibilities prescribed by the Londonderry Town Charter, and all Orders, Ordinances and Resolutions.
2. The Manager shall supervise all department heads and Administrative Departments as established by this Code (except the Library Director, who pursuant to State Statute reports to the Board of Library Trustees). The Manager shall have the power to suspend and discipline and perform or delegate the duties and responsibilities of such department heads.
3. The Manager may prescribe such rules and regulations not inconsistent with the Town Charter and Town Ordinances as he or she may deem necessary for the conduct of the various departments, and he or she may investigate and inquire into the affairs of any department at any time.
4. The Town Manager, or such person appointed by the Town Manager as Personnel Director, shall perform all personnel functions as described in the Town Charter, Town Ordinances and the Personnel Policy.
5. The Town Manager shall, annually, make a “State of the Town Address” at the Annual Town Meeting.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION II COMMUNITY SERVICES GROUP

- A. Community Services Group** - The **Community Services** Group shall be under the supervision of the **Town Manager**.
- B.** The Town Manager shall manage the functions of the following divisions:
1. **Recreation Division** - The Recreation Division is under the supervision of the **Recreation Director** appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff in accordance with Chapter I, Section V.A - Department Staffs. The Recreation Director shall perform the following functions:
 - a. Develop a general recreational program for the Town.
 - b. Coordinate and oversee all the recreational activities on Town parks, playgrounds, swimming pools, beaches, tennis courts, ski areas and all other recreational facilities, including buildings.
 - c. Prepare and maintain all records pertaining to the Recreation Department
 - d. Coordinate and cooperate with private groups as well as with public officials in the development and promotion of recreational activities in the Town.
 - e. Cooperate and coordinate with the School Superintendent and Highway Department to develop, maintain, and care for all municipal and recreational buildings, parks, playgrounds, athletic fields and other recreational areas and all other departments of the Town.
 - f. Perform all other related functions as required.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION II COMMUNITY SERVICES GROUP

B. The Town Manager shall manage the functions of the following divisions: (Cont'd)

2. **Cable Division** - The Cable Division shall be under the supervision of the **Cable Coordinator** who is appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff appointed in accordance with Chapter I, Section V.A - Department Staffs. The Cable Coordinator shall perform the following functions:
 - a. Oversee all cable related services and relevant technologies for the Town, including contract compliance issues and resolution of subscriber complaints.
 - b. Manage the Londonderry Access Center (LAC) to maximize the community's ability to produce PEG access programming. This includes assuring that all users are properly supervised and trained and that policies for use are up to date and applied uniformly.
 - c. Provide for the maintenance of the institutional network (I-Loop) and coordinate its usage to ensure compatible endeavors.
 - d. Prepare reports as required to keep the Town Manager apprised of emerging technologies.
 - e. Work cooperatively with the Town Departments, School District, OVS (Other Video Services), the Town's other agencies and cable provider(s) to ensure the optimum use of available communications resources.
 - f. Perform all other related functions as required.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION III FINANCE AND ADMINISTRATION GROUP

- A. The **FINANCE AND ADMINISTRATION** Group shall be headed by an **Asst. Town Manager/Finance and Administration** in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff in accordance with Chapter I, Section V.A - Department Staffs.
- B. The Asst. Town Manager/Finance and Administration shall manage the functions of the following divisions:
1. **Finance Division:** The Finance Division shall be managed by the Asst. Town Manager/Finance and Administration in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff in accordance with Chapter I, Section V.A-Department Staffs. The Asst. Town Manager/Finance and Administration shall perform the following duties:
 - a. Pre-audit all receipts and process all authorized claims against the Town before authorizing payment thereof.
 - b. Post-audit all receipts and disbursements.
 - c. Maintain the general financial accounts of the Town and exercise accounting control.
 - d. Prepare financial reports as required by the Manager and Town Council
 - e. Negotiate, upon the authorization of the Manager and Town Council, all loans of whatever term.
 - f. Maintain custody of all insurance policies of the Town.
 - g. Supervise and control the operation of all financial data processing functions and its records.
 - h. Maintain all Town employees' earnings records, including records of all deductions from earnings for retirement, social security, medical/health coverages, savings plans, and any other related materials, and maintain all Town employees payroll action forms, vacation and sick leave records.
 - i. Perform all other related functions as required.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION III FINANCE AND ADMINISTRATION (Cont'd)

B. The Asst. Town Manager/Finance and Administration shall manage.....
(Cont'd)

2. **Assessing Division** - The Assessing Division shall consist of an **Assessor** appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff appointed in accordance with Chapter I, Section V.A - Department Staffs. The Assessor shall perform the following functions:
 - a. Carry out all the duties relative to taking the inventory and the appraisal of property for taxation, and in regard to the assessment and abatement of taxes and issuing warrants for the collection of taxes, as are now or may hereafter be required by law of Assessors of Towns.
 - b. Prepare all assessment and tax rolls and tax notices as required by law.
 - c. Check all property transfers and maintain all property records.
 - d. Prepare and maintain all assessment record cards, filing systems, and all other records of the department.
 - e. Make regular and frequent checks of the Town to assure all taxable property is being accurately reported.
 - f. Prepare and maintain all tax maps.
 - g. Perform all other related functions as required.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION III FINANCE AND ADMINISTRATION (Cont'd)

B. The Asst. Town Manager/Finance and Administration shall manage.....
(Cont'd)

3. **Town Clerk/Tax Collector** - The Town Clerk/Tax Collector is an elected position pursuant to the Laws of the State of NH, bonded as required by Statute and shall include such clerical staff appointed in accordance with Chapter I, Section V.A - Department Staffs. The Town Clerk/Tax Collector shall perform the following functions:
 - a. Serve as Keeper of the Records of the Town Council and maintain the records of all proceedings of the Town Council and other Boards and Committees as required by State Law.
 - b. Arrange for all elections and maintain all election records, and have custody of all property used in connection therewith.
 - c. Obtain and maintain all statistics on births, marriages and deaths as required by law.
 - d. Notify the Manager, at least thirty (30) days prior thereto of the expiration of terms of all members of boards or commissions.
 - e. File and preserve, as required by State and Federal Law, all contracts, bonds, oaths of office and other documents.
 - f. Issue licenses and permits and collect all fees, as required by statute and ordinance unless otherwise provided, and deposit these collections through the Treasurer.
 - g. Be custodian of the Official Town Seal.
 - h. Keep on file the official copy of the Town Charter, all Ordinances of the Town and maintain a record of all corrections and amendments.
 - i. Perform all duties and exercise all powers incumbent upon or vested in Town Clerks by the laws of the State of New Hampshire.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION III FINANCE AND ADMINISTRATION (Cont'd)

B. The Asst. Town Manager/Finance and Administration shall manage.....
(Cont'd)

4. **Town Clerk/Tax Collector**

j. Perform all Tax Collection responsibilities as vested in Tax Collectors by the laws of the State of New Hampshire and as outlined below:

1. Mail all tax notices
2. Collect all taxes due the Town
3. Maintain proper records pertaining to collection functions.
4. Turn over daily to the Treasurer a record and account for all monies on the date received.
5. Collect permit fees for the registration of motor vehicles, required to be paid under the provisions of New Hampshire Revised Statutes Annotated, 1955, Chapter 260, Section 27, and amendments thereto.
6. Perform all other related functions as required.

5. **Treasury - The Town Treasurer** shall be elected pursuant to the Laws of the State of New Hampshire and bonded as required by Section 20 thereof. The Town Treasurer shall perform the following functions:

- a. Maintain custody of all Town funds, including the recording of the deposit and withdrawal thereof, as required by ordinance and general law.
- b. Carry out the duties as specified by the New Hampshire Revised Statutes Annotated, 1955, Chapter 33, and amendments thereto, relative to Town bonds, notes and records thereof.
- c. Sign all checks, drafts, notes and bonds for the Town.
- d. Record the deposit of all monies daily in the depositories designated by the Town Council.
- e. Perform all other related functions as required.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION III FINANCE AND ADMINISTRATION (Cont'd)

B. The Asst. Town Manager/Finance and Administration shall manage.....
(Cont'd)

6. **General Assistance Division** shall be under the supervision of the Asst. Town Manager/Finance and Administration who is appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff appointed in accordance with Chapter I, Section V.A - Department Staffs. The General Assistance Division shall perform the following functions:

- a. Plan, budget report and control the Town's Welfare Program
- b. Investigate all requests for relief and authorize such relief aid as may be deemed necessary.
- c. Exercise all powers and perform all duties conferred or imposed by law on overseers of the poor.
- d. Keep full and accurate records of persons fully supported, the persons relieved and partially supported, and the travelers and vagrants lodged at the expense of the Town, together with the amount paid to them for such support and relief, and make such reports to the State Board of Public Welfare as required by law.
- e. Serve on the Ambulance Hardship Committee
- f. Perform all other related functions as required.

6. **Human Resources Division** -The Human Resources Division shall consist of an Asst. Town Manager/Finance and Administration appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff appointed in accordance with Chapter I, Section V.A - Department Staffs. The Director shall perform the following functions:

- a. New employee orientation
- b. Assistance with collecting data and preparing for collective bargaining negotiations
- c. Management of workplace
- d. Behavior issues, including absenteeism, harassment, substance abuse.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION III FINANCE AND ADMINISTRATION (Cont'd)

B. The Asst. Town Manager/Finance and Administration shall manage.....
(Cont'd)

7. **Human Resources Division (Cont'd.)**

- e. Compliance with state and federal workplace and employment rules and regulations.
- f. Assistance with processing grievances.
- g. Management of individual personnel records, including:
 - 1. Wages and Benefits
 - 2. Personnel Evaluations
 - 3. Personnel Actions
 - 4. Required Testing and Certifications
 - 5. Assistance with employee separation issues
 - 6. Administer recruitment process
 - 7. Assist with meeting mission critical training needs.
 - 8. Meeting safety and security compliance issues.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION IV COMMUNITY DEVELOPMENT DEPARTMENT

- A. The Community **Development Department** shall consist of a Community Development Director appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff appointed in accordance with Chapter I, Section V.A - Department Staffs.
- B. The Community Development Director shall perform the following functions for the **Planning Division**:
1. Act in the capacity of advisor to the Planning Board.
 2. Investigate, study, report and recommend on all matters relating to land use, zoning, traffic, parking, highways, public facilities, population, community development, subdivisions, parks, playgrounds and other related phases of Town planning.
 3. Revise the Zoning Map as changes are made thereto by Town Ordinance.
 4. Perform all research work which might be assigned by the Manager, Town Council, or Planning Board.
 5. Develop and implement the various elements of the Master Plan and Capital Improvements Plan being used as guides for the development of the Town.
 6. Investigate, study and report on all matters relating to the construction of municipal structures.
 7. Research, review and prepare Zoning Ordinance changes for review by the Planning Board.
 8. Liaison with appropriate state and regional planning entities.
 9. Perform all other related functions as required.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION IV COMMUNITY DEVELOPMENT DEPARTMENT (Cont'd)

- C. The Community Development Director shall perform the following functions for the **Economic Development Division:**
1. Act in the capacity of advisor to the Economic Development Committee and coordinate with the Londonderry Housing and Redevelopment Authority and other regional economic development organizations.
 2. Work to broaden Londonderry's economic base and achieve economic stability through steady growth and quality development, while providing a positive local business climate for innovative, progressive companies.
 3. Provide assistance to new and/or relocating companies
 4. Assist existing businesses in their expansion efforts.
 5. Perform all other related functions as required.
- D. The Community Development Director shall perform the following functions for the Land Conservation Management Division:
1. Responsible for overall conservation land management
 2. Meeting with interested landowners
 3. Maintaining record files on properties, site visits to insure compliance with terms of easements and deeds
 4. Prepare Baseline Documentation on each property
 5. Assist legal counsel and Conservation Commission with securing easements and deeds on conservation properties.
 6. Perform other related functions as required.
- E. The Community Development Director shall perform the following functions for the GIS Division:
1. Responsible for implementation, programming and management of the Geographical Information System
 2. Develop information and reports to assist other town departments, school district, boards and commissions

SECTION IV COMMUNITY DEVELOPMENT DEPARTMENT (Cont'd)

3. Perform other related functions as required.
- F. The Community Development Director shall perform the following functions for the Building/Health/Zoning Division:
1. Appoint a Senior Building Inspector, who shall also serve as Health Officer and Zoning Enforcement Officer.
 2. Appoint such other professionals and staff in accordance with Chapter I, Section V.A - Department Staffs.
 3. The Senior Building Inspector shall perform the following duties:
 - a. Investigate all complaints relating to nuisances that may be brought to his/her attention. He/she shall serve all notices and orders as necessary, and shall enforce all rules and regulations affecting the health and safety of the public.
 - b. Investigate and render assistance in reference to private water supply and septic tanks.
 - c. Investigate all communicable diseases.
 - d. Investigate all sanitary hazards and enforce sanitary laws.
 - e. Issue building permits and inspect construction for compliance with Federal, State and local building laws and codes and the zoning regulations.
 - f. Prepare and maintain records of all permits issued.
 - g. Prepare and maintain all necessary records required by laws of the State of New Hampshire and the Town Ordinances.
 - h. Perform all research work which might be assigned by the Director of Planning & Community Development, Planning Board or the Zoning Board of Adjustment.
 - i. Enforce the Zoning Regulations.
 - j. Perform all other related functions as required.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION-V PUBLIC WORKS DEPARTMENT

- A. The **Department of Public Works**, under the supervision of the Public Works Director, appointed in accordance with Chapter I, Section IV.A and shall consist of the divisions of Highways and Bridges; Environmental Services (Sanitary Sewer/Solid Waste) and Engineering. Each division shall consist of such supervisory, technical, clerical and engineering staff appointed in accordance with Chapter I, Section V.A - Department Staffs.
- B. The division of **Highways and Bridges**, under the supervision of the Director, shall perform the following functions:
1. Construct, maintain and repair all roads, streets, bridges and sidewalks, except where specific projects may be let to contractors.
 2. Remove snow and distribute salt and sand on all highways, streets, bridges, sidewalks and other public ways.
 3. Plant, maintain and remove trees and brush on or affecting Town property, either by Town forces or contractual services.
 4. Prepare and maintain all necessary records pertaining to the highways and bridges division.
 5. Install, maintain and repair all street-name signs, traffic control devices and warning signs in the Town.
 6. Paint, when necessary, all parking, crosswalk, street division and direction lines on the Town's streets, except where specific projects may be let to contractors.
 7. Prepare and maintain all necessary records pertaining to street painting and sign placement.
 8. Perform all other related functions as required.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION V PUBLIC WORKS DEPARTMENT (Cont'd)

- C. The division of **Environmental Services** is under the supervision of the Environmental Engineer, and who shall report to the Public Works Director, shall perform the following functions:
1. Review, approve and inspect public and new private sewer construction proposals.
 2. Plan, design and build the municipal sewer infrastructure.
 3. Repair, maintain and operate the Town's sewer system in accordance with the Sewer Ordinance, State and Federal regulations and intermunicipal agreement, except where specific projects may be let to contractors.
 4. Prepare and maintain all necessary records, drawings, and permits required by State and Federal regulations pertaining to the sewer and sewage disposal facilities.
 5. Administer and enforce the town's Industrial Pretreatment Program in accordance with the Town's National Permit requirements of the Department of Environmental Services. (NPDES)
 6. Apply for State/Federal Grants and Loans
 7. Administer the Sewer billing program
 8. Coordinate the collection and removal of all refuse and recyclables, including organizing a bi-annual Household Hazardous Waste Collection Day.
 9. Prepare and maintain all necessary records pertaining to the refuse/recycling collection, marketing and disposal division.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION V PUBLIC WORKS DEPARTMENT (Cont'd)

- C. The division of **Environmental Services** (Cont'd)
10. Develop, maintain and care for the Municipal Recycling Drop Off Center and (Do-It Yourself) DIY Used Oil Collection facility.
 11. Maintain and promote the Master Recyclers' Training and Program
 12. Manage, maintain and supervise renewal of Town contracts for collection of refuse and recyclables.
 13. Promote recycling and the solid waste program through education in the schools and businesses
 14. Perform all other related functions as required.
- D. The division of **Engineering** is under the supervision of the Town Engineer, who shall report to the Public Works Director, shall perform the following functions:
1. Investigate, study, report and recommend on all matters relating to land use, zoning, traffic, parking, highways, public facilities, population, community development, subdivisions, parks, playgrounds and other related phases of Town planning.
 2. Review all subdivision/site plans as presented and make recommendations as required to developers and the Planning Board.
 3. Conduct final inspections on subdivisions, including utilities and signs installations, drainage swales, sidewalks and driveways.
 4. Perform all other related functions as required.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION VI PUBLIC SAFETY DEPARTMENTS

- A. The **Fire and Rescue Department** shall be under the supervision of a Fire Chief appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff appointed in accordance with Chapter I, Section V.A - Department Staffs.
- B. The **Fire and Rescue Department** shall perform the following functions:
1. Extinguish fires.
 2. Provide rescue services
 3. Provide emergency medical services
 4. Enforce all applicable State laws, administrative rules, and State and local codes.
 5. Hazardous materials incident mitigation.
 6. Prepare and maintain all records as required.
 7. Issue required permits.
 8. Plan and carry out a training program of instruction for all regular and call personnel.
 9. Cooperate with surrounding communities through mutual aid agreements
 10. Provide public education in fire safety and related subjects.
 11. Perform all other related functions as required.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION VI PUBLIC SAFETY DEPARTMENTS (Cont'd)

- A. The **Police Department**, under the supervision of the Chief of Police, appointed in accordance with Chapter I, Section IV.A who shall exercise the power conferred upon Police Chiefs by the Laws of the State of New Hampshire, and which department shall consist of such officers and staff appointed in accordance with Chapter I, Section V.A - Department Staffs.
- B. The Police Department shall perform the following functions:
1. Enforce the laws and ordinances of the State of New Hampshire and the Town of Londonderry.
 2. Investigate crimes and maintain peace and order.
 3. Protect lives and property
 4. Prosecute all violations of the law within its jurisdiction.
 5. Promote public awareness and education in alcohol, drug abuse, crime prevention, domestic violence prevention and other areas of public concern.
 6. Prepare and maintain all necessary records pertaining to the Police Department.
 7. Enforce the licensing laws and other statutes, ordinances and regulations pertaining to domestic animals.
 8. Perform all other related functions as required.

CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)

SECTION VIII - LEACH LIBRARY

Library Division - The Library Division shall consist of the **Librarian** and professional and clerical staff, and shall consist of the subdivisions of Cataloging, Reference, Circulation, Young People and Children. The Librarian and other Library staff shall be nominated and approved by the **Library Trustees** and shall perform the following functions:

- a. Select and procure books, magazines, periodicals and other materials for use by residents.
- b. Catalog, classify and circulate for home use all such material.
- c. Provide a reference service for answering requests for specific information.
- d. Promote the availability of the library material to stimulate a wider general interest in its use.
- e. Promote special reading services for children and young people to aid in the development of desirable reading habits.
- f. Prepare and maintain all records pertaining to the Library Department.
- g. Coordinate with School District for provision of Library Services.
- h. Perform all other related functions as required.

~~End of Section~~



Town of Londonderry, New Hampshire

268B Mammoth Road • Londonderry, NH 03053

(603) 432-1100 • londonderrynh.gov

ORDINANCE 2026-04

AN AMENDMENT TO THE MUNICIPAL CODE REPEALING CHAPTERS I & II OF TITLE V AND ADOPTING CHAPTER 4 ADMINISTRATIVE DEPARTMENTS

WHEREAS, the Town Charter of the Town of Londonderry, Article 4, Section 4.9(B), authorizes the Town Council to establish and amend the structure and responsibilities of the administrative departments of the Town; and

WHEREAS, the Town Manager has recommended repeal of Chapters I & II of the Administrative Code to replace them to improve operational efficiency, align with municipal best practices; and

WHEREAS, the Town Council has reviewed the proposed repeal of Chapters I & II and replacement with a new Chapter 4, which includes the consolidation, reclassification, and clarification of departmental missions and functions to govern the establishment, structure, missions, and powers of all municipal departments and divisions of the Town of Londonderry; and

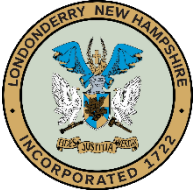
WHEREAS, the Town Council directs the Town Manager to implement these changes in accordance with the Town Charter and personnel policies, including the reassignment of staff, transition of responsibilities, and publication of updated organizational charts, with an effective date of May 11, 2026.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that Chapters I & II of the Administrative Code are hereby repealed in their entirety and replaced by Chapter 4 Administrative Departments, attached hereto and incorporated by reference.

**Ron Dunn - Chair
Town Council**

Sharon Farrell - Town Clerk

PASSED AND ADOPTED by the Londonderry Town Council this 6th day of April 2026.



Town of Londonderry, New Hampshire
268B Mammoth Road • Londonderry, NH 03053
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Town Council Meeting – Agenda Item Coversheet

Meeting Date: 3/16/2026
Submitted By: TM Shaun Mulholland
Department: Town Manager

Contact Information: Email or Telephone
Estimated Discussion Time: 10 Minutes

Agenda Item Title: Discuss and set public hearing to approve TC-105 Use of Legal Counsel Policy

Background and Purpose: This policy establishes a clear, consistent, and transparent process for how the Town Council and individual Councilors request and receive legal advice from the Town's legal counsel. Its primary purpose is to ensure proper governance, fiscal accountability, role clarity, and equal access to legal information for all Councilors.

Why this policy is needed:

- Clarifies that legal counsel represents the Town as a municipal entity, not individual Councilors acting independently.
- Prevents fragmented or duplicative legal requests that could increase costs or create conflicting guidance.
- Reinforces appropriate governance structure and communication channels.
- Promotes transparency by ensuring all Councilors receive the same legal advice.

Key Policy Provisions

- Any Councilor may request a legal opinion related to Town business.
- Requests must be made through the Council Chairperson or the Town Manager.
- Legal counsel responds to the Chairperson and Town Manager.
- The Town Manager distributes the response to all Councilors.
- When appropriate and consistent with attorney-client privilege and confidentiality requirements, the Town Manager is authorized to share relevant legal guidance with Town staff and applicable boards, committees, or commissions to support lawful operations, policy implementation, and informed decision-making.

Exception for Town Manager Performance Matters

- When a legal opinion concerns the Town Manager's performance, evaluation, discipline, or employment status:

- The Council Chairperson may exclude the Town Manager from the request and/or response.
- Legal counsel provides the response directly to the Chairperson.
- The Chairperson ensures the response is shared with all Councilors.

This exception protects the Council's oversight responsibilities while maintaining transparency among Council members.

Charter Consistency

The policy includes a Charter consistency clause confirming that it will be applied in accordance with the Town Charter and state law, with those authorities controlling in the event of any conflict.

Governance Benefits

- Strengthens Council oversight and decision-making
- Protects attorney-client privilege
- Supports ethical, professional, and accountable governance
- Aligns with best practices for municipal leadership

Recommended Action

Adopt the Policy on Use of Legal Counsel to formalize procedures, reduce risk, and support effective and transparent Town governance.

Action: Set a public hearing to approve TC-105 Use of Legal Counsel Policy for April 6, 2026.

Proposed Motion: *The Londonderry Town Council hereby schedules a public hearing on April 6, 2026 at 7 PM at Town Hall to receive public input and act on the proposed TC-105 Use of Legal Counsel Policy.*

Attachments:

Town Council Policy

Policy Name

Use of Legal Counsel

Policy Number

TC-105

Effective Date

To be determined

Last Revision

Original Adoption

Approved By

Town Council

PURPOSE

The purpose of this Use of Legal Counsel Policy (“the Policy” or “this Policy”) is to establish a clear, consistent, transparent and effective process governing the use of the Town’s legal counsel by the Town Council as a body and individual Councilors. This Policy is intended to ensure appropriate coordination, fiscal responsibility and prudent management of legal fees, and equal access to legal guidance while preserving the collective authority of the Town Council and the administrative role of the Town Manager.

SCOPE

This Policy applies to all members of the Town Council and the Town Manager, and governs requests for legal opinions, advice, or other legal services from the Town’s retained legal counsel when such requests originate from individual Councilors or the Council as a body.

DEFINITIONS

The following Definitions apply for purposes of this Policy.

- **Legal Counsel:** Under this Policy, “Legal Counsel” means the attorney(s) or law firm(s) retained by the Town to provide the Town with legal services.
 - **Legal Advice:** Under this Policy, “Legal Advice” means the legal advice, opinions, services and representation provided by Town Legal Counsel in its representation of the Town.
-

POLICY DETAIL

1. Pursuant to Section 4.10 of the Town Charter, the Town’s Legal Counsel represents the Town as a municipal entity and provides Legal Advice to the Town Council acting collectively, the Town Manager, and Town departments as authorized ¹
2. Individual Councilors do not have independent authority, on behalf of the Town, to directly engage or direct the Town’s Legal Counsel..
3. Any Councilor may request Legal Advice related to Town business.
4. All requests by individual Councilors for Legal Advice shall be made through either:
 - The Council Chairperson, or
 - The Town Manager
5. Upon receipt of such a request for Legal Advice, the Council Chairperson or the Town Manager shall determine the necessity of the request. If the request is appropriate, it shall be forwarded to the Town’s Legal Counsel for review and response. If the request is not necessary or appropriate the Council Chairperson or the Town Manager shall bring the request before the full Town Council for consideration. If the majority of the members of the Council present at a meeting approve of the request it shall be forwarded to Legal Counsel for review. If Legal Counsel has previously provided a legal opinion on the issue the Town Manager shall provide this to all members of the Council, and the Council and the Town Manager shall confirm with Legal Counsel if such Legal Advice remains unchanged or needs to be updated. The Town Manager is responsible for archiving all legal opinions and related documents from Legal Counsel.

¹ Section 4.10 of the Town Charter is entitled “Town Attorney” and provides:

The Council shall engage as needed such attorneys are deemed in the best interest of the town to provide legal advice to the Council, Manager, town departments, and other or [sic] agencies and represent the Town in any legal proceeding, criminal prosecutions, and traffic violations. Such attorneys shall, on Council direction, perform any other duties prescribed by this Charter or by ordinance.

6. Legal Counsel shall provide its written or verbal Legal Advice to the Council Chairperson and the Town Manager.
7. The Town Manager shall distribute the Legal Counsel's written Legal Advice to all members of the Town Council in a timely manner to ensure full transparency and equal access to the information by Town Councilors, and in a manner which preserves attorney-client privilege, except as provided in subsection 8 below.
8. **Exception – Town Manager Performance Matters:** If the Legal Advice being sought and/or received pertains specifically to the performance, evaluation, discipline, or employment status of the Town Manager, the Council Chairperson may, at their discretion, exclude the Town Manager from receipt of the request and/or the Legal Counsel's response. In such instances, Legal Counsel shall provide the Legal Advice directly to the Council Chairperson and copy the remaining Town Councilors to preserve attorney-client privilege.
9. Legal Advice obtained through this process is considered a Town record, subject to applicable state and/or federal laws governing attorney-client privilege, the work product doctrine, confidentiality, and public disclosure and/or exemption(s) from public disclosure.
10. **Confidentiality and Distribution of Legal Advice:** Legal Advice provided by Town Legal Counsel is privileged and confidential and shall be treated as such by all recipients. Such Legal Advice materials shall not be distributed, shared, quoted, summarized, or disclosed outside of the Town Council, the Town Manager (when applicable), or other authorized Town officials without the express prior authorization of the Town Council acting as a body, or as otherwise required by law.

Individual Councilors do not have the authority to waive the attorney-client privilege concerning Legal Advice on behalf of the Town, and Individual Councilors shall not attempt to do so.

11. **Authorized Internal Distribution**-When Legal Advice provided by Legal Counsel is relevant to Town operations, Town policy implementation, or the work of Town boards, committees, or commissions, the Town Manager is authorized to share such information with Town staff and applicable boards, committees, or commissions, as appropriate, provided that attorney-client privilege and confidentiality requirements are preserved and the disclosure is consistent with law and Town policy.
12. Nothing in this Policy is intended to limit the Town Council's authority, acting as a body, to authorize legal services or direct legal counsel through formal Council action. Nothing in this Policy is intended to limit the Town Council's authority under the Town Charter, including Section 4.10 of the Town Charter.

13. **Charter Consistency:** This Policy shall be interpreted and applied in a manner consistent with the Town Charter and applicable state and/or federal law. In the event of any conflict between this Policy and the Town Charter or applicable state and/or federal statute, the provisions of the Charter or applicable state and/or federal law shall control.

PROCEDURES

1. A Councilor submits a request for Legal Advice to the Council Chairperson or Town Manager.
 2. The Chairperson or Town Manager reviews the request for clarity, relevance, necessary and appropriate to Town business.
 3. If the Chairperson or Town Manager determine the request is not necessary or appropriate the request shall be brought before the full Town Council for consideration. If the majority of Councilors present at a meeting wish to have the matter sent to Legal Counsel the Chairperson or Town Manager shall forward the matter to Legal Counsel for review.
 4. The request is forwarded to Legal Counsel.
 5. Legal Counsel provides Legal Advice and submits it to the Chairperson and Town Manager.
 6. The Town Manager distributes the Legal Advice to all Councilors in a manner that preserves attorney-client privilege, except when the request for Legal Advice concerns the Town Manager's performance, in which case distribution shall be handled by the Council Chairperson and Legal Counsel in accordance with this Policy.
-

REFERENCES

- Town Charter
 - Applicable State Statutes, including RSA 91-A
 - Applicable rules and case law concerning attorney-client privilege and the work product doctrine
 - Town Council Rules of Procedure
-

REVISION HISTORY

Original Adoption Date	Section	Description of Revision	Date
To be determined	All	Initial adoption	



Town of Londonderry, New Hampshire
268B Mammoth Road • Londonderry, NH 03053
(603) 432-1100 • londonderrynh.gov

Town Council Meeting – Agenda Item Coversheet

Meeting Date: 3/16/2026

Submitted By: ASD Kirsten Hildonen

Department: Town Manager's Office

Contact Information: khildonen@londonderrynh.gov

Estimated Discussion Time: 10 minutes

Agenda Item Title: Discuss and schedule a public hearing for April 6, 2026 regarding the proposed revision to the Municipal Code, repealing Title I, Chapter XXIX, and adopting Chapter 20 Code of Ethics

Background and Purpose: The Town of Londonderry adopted a Code of Ethics as part of Title VI its Municipal Code on January 21, 2008 and amended said code on September 9, 2014. When the Town Council repealed Title VI in its entirety on September 15, 2025, the Code of Ethics was moved to Title I, Chapter XXIX.

At its meeting on July 21, 2025, the Londonderry Town Council approved a motion directing the Town Manager to initiate and oversee the process outlined in the attached cover letter to consider the rescission and adoption of a revised Code of Ethics. As part of the process, the Town Manager's office sought feedback from staff, boards, and the public. The Town Council incorporated changes sourced from public feedback into a new draft at their meeting on October 20, 2025. The revised draft was presented for public feedback online and at a second public input session. No additional changes were proposed. The final draft is presented here to be added to the Londonderry Municipal Code as Chapter 20 Code of Ethics.

Action: Review the final draft of Chapter 20 Code of Ethics. Schedule a public hearing on its adoption for April 6, 2026.

Proposed Motion: *MOVED by the Londonderry Town Council to hold a public hearing on April 6, 2026 at 7 p.m. in the Moose Hill Chambers of the Londonderry Town Hall to repeal Title I, Chapter XXIX of the Municipal Code and adopt Chapter 20 Code of Ethics in its place.*

Attachments: Title I, Chapter XXIX Code of Ethics (old version); Chapter 20 Code of Ethics (new version)



Town of Londonderry, New Hampshire

Administrative Code – Chapter 20 Ethics

SECTION 20.1 – PURPOSE

The Town of Londonderry is committed to maintaining the highest standards of ethical conduct. This Ethics and Conflict of Interest Policy for Town Employees, Elected Town Officials, Appointed Town Officials, and Volunteers establishes a unified framework for the continued expectations concerning ethical behavior of Town Employees, Elected Town Officials, Appointed Town Officials, and Volunteers. In compliance with applicable federal and state regulations, this Policy also includes provisions prohibiting lobbying activities during work and the use of Town resources for lobbying activities.

SECTION 20.2 – SCOPE

This Policy applies to all Town Employees, Elected Town Officials, Appointed Town Officials, and Volunteers acting in an official capacity for the Town. This Policy does not apply to employees, officials, or volunteers of the Leach Library or the Londonderry School District.

SECTION 20.3 – DEFINITIONS

As used in this chapter, the following terms shall have the following meanings:

CONFLICT OF INTEREST

Any situation where a private pecuniary or personal interest, as defined in this Policy, could interfere with the proper discharge of a public duty. That pecuniary or personal interest must be “immediate, definite and capable of demonstration; not remote, uncertain, contingent or speculative” (*Atherton v. Concord*, 109 N.H. 164 (1968)).

ELECTED TOWN OFFICIALS AND APPOINTED TOWN OFFICIALS

Town Councilors and members of Town Boards, Committees, and Commissions, when acting in a position other than as a member of the general public.

ELECTIONEERING

Activities intended to influence the outcome of a vote on any question or office, as defined in NH RSA 659:44-a.

LOBBYING

Actions designed to influence the decision-making process of governmental bodies, voters, or officials, including promoting or opposing legislation or administrative actions.

PECUNIARY INTEREST

Any private financial advantage (whether in the form of money, property, commercial or other interest), the primary significance of which is economic gain from the outcome of one's official actions. Financial advantage applicable to the public at large, such as reduced taxes or increased general prosperity, does not constitute a pecuniary interest, for the purpose of this Ethics Policy.

PERSONAL INTEREST

Any direct benefit or non-financial interest in the outcome of a matter when such benefit or interest could influence one's official actions. Examples of direct personal benefit include family relationships (by blood or marriage), employment relationships, and/or business relationships that would bias one's official decision-making against the public interest. Official interest as a function of one's elected or appointed position does not constitute a personal interest, for the purpose of this Ethics Policy.

RECUSAL

The act of removing oneself from participating in any official matter due to a conflict of interest.

TOWN EMPLOYEES

Individuals who work for the Town and in return are compensated pursuant to the Fair Labor Standards Act and applicable state law.

TOWN RESOURCES

Includes, but is not limited to, Town funds, real and personal property, intellectual property, computers and IT systems including emails and social media and websites, equipment, Town Employee time, and facilities.

VOLUNTEERS

Individuals who are not Town Employees, Elected Town Officials, Appointed Town Officials or independent contractors or vendors for the Town, and who perform various functions for the benefit of the Town and its operations on a strictly volunteer basis and who are not compensated in compliance with the Fair Labor Standards Act and applicable state law.

SECTION 20.4 – ETHICAL STANDARDS

All Town Employees, Elected Town Officials, Appointed Town Officials, and Volunteers are expected to:

- A. Act in the best interest of the Town and its residents.
- B. Disclose any personal or financial interests in matters affecting the Town.
- C. Recuse themselves from discussions or decisions where a conflict of interest exists.
- D. Conduct Town business transparently, fairly, impartially and with integrity.
- E. Openly conduct the public's business (unless legally confidential under RSA 91-A:3 or other applicable law, rule, or regulation), with the care, competence, and diligence appropriate to the responsibilities of public service.

SECTION 20.5 – PROHIBITED ACTIVITIES

A. Conflict of Interest

1. No Town Employee, Elected Town Official, Appointed Town Official, or Volunteer shall use their position for personal gain or allow private interests to affect their public duties.
2. Individuals must disclose conflicts of interest and abstain from related decisions or actions.

B. Electioneering and Lobbying:

1. Town Employees shall not engage in lobbying activities during work hours or use Town resources for lobbying purposes. The Town Manager may authorize Town Employees to advocate on behalf of the Town regarding matters that are germane to the Town and are not contrary to the legislative policy positions of the Town Council.
2. Lobbying includes advocating for the public to influence Town Council decisions or any other Town governmental process.
3. Town Employees are prohibited from using Town property, including but not limited to, email accounts, websites, or social media, for any lobbying or electioneering purposes.
4. **Federal Grant Restrictions:** In accordance with federal regulations, no appropriated federal funds may be used to pay any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, grant, loan, or cooperative agreement. Conflicts of interest must be disclosed in writing to the federal DOT component in accordance with the federal award agency policy.
5. **State Grant Restrictions:** Recipients of state funds are prohibited from using such funds for lobbying activities. Organizations receiving state funding must segregate these funds from those used for lobbying purposes, ensuring physical and financial separation.

C. Use of Town Resources:

1. Town facilities, equipment, and Town Employees' time may not be used for lobbying, political advocacy, or electioneering. This provision does not prohibit the expenditure of Town funds for membership fees to professional organizations which are relevant to Town Employees' performance of their jobs, such as the NH Municipal Association, the NH Clerk's Association, the NH Fire Chiefs Association, the NH Planners Association, etc.

D. Freedom of Expression:

1. In accordance with NH RSA 98-E, public employees have the right to publicly discuss and give opinions as individuals on all matters concerning any government entity and its policies.
2. No person shall interfere with the right of freedom of speech, full criticism, or disclosure by any public employee.
3. This Policy does not suspend or affect any law relating to confidential and privileged records or communications.

SECTION 20.6 – CONFIDENTIALITY

Town Employees and Elected Town Officials and Appointed Town Officials must maintain the confidentiality of information acquired through their official duties unless disclosure is legally authorized.

SECTION 20.7 – GIFTS AND FAVORS

Town Employees and Elected Town Officials and Appointed Town Officials shall not accept gifts exceeding \$75 in value or any gift that could appear to influence their decisions or actions. Town Employees, Elected Town Officials and Appointed Town Officials shall not directly or indirectly solicit gifts, nor accept or receive any gift (whether money, services, loans, travel, entertainment, hospitality, equipment, premises or any gift in some other form), under circumstances in which it could be reasonably inferred that the gift was intended to influence them in the performance of their duties or was intended as a reward for any service, action, inaction, recommendation or decision or delay in reaching a decision on their part.

SECTION 20.8 – EDUCATION AND ACKNOWLEDGEMENT

All Town Employees, Elected Town Officials and Appointed Town Officials, and Volunteers shall receive training on this Policy and acknowledge their understanding in writing upon assuming their roles.

SECTION 20.9 – REPORTING AND ADDRESSING ETHICAL VIOLATIONS

- A. Suspected violations shall be reported to the Town Manager.
- B. The Town Manager will investigate complaints, or coordinate for the investigation of complaints, ensuring compliance with relevant state laws in accordance with the provisions of ADM-126 Complaints and Investigations Policy.
- C. Violations may result in appropriate disciplinary actions or actions to end the individual's relationship with the Town, up to and including termination of employment, removal from office or disallowance of volunteer status.

SECTION 20.10 – ADVISORY OPINIONS

Town Employees, Elected Town Officials and Appointed Town Officials may seek advisory opinions from the Town Manager regarding potential ethical concerns. The Town Manager will respond to written inquiries with written advisory opinions that shall be documented and may serve as precedents for future guidance.

SECTION 20.11 – CONFLICT OF INTEREST PROCEDURES FOR ELECTED AND APPOINTED TOWN OFFICIALS

- A. As defined by the New Hampshire Supreme Court in *Atherton v. Concord*, 109 N.N. 164 (1968), for an issue of personal gain or private interest to rise to the level of a conflict or interest, it must be ‘immediate, definite and capable of demonstration; not remote, uncertain, contingent or speculative. The procedure in the case of a conflict of interest is as follows:
1. If the Elected or Appointed Town Official recognizes a conflict of interest they shall publicly disclose the reason(s) for the conflict at the earliest possible opportunity and shall recuse themselves from any and all official activity on the matter to which the conflict pertains. When uncertainty arises as to whether an Elected or Appointed Town Official has a conflict of interest in a particular circumstance, the body shall vote on the question. Such vote shall be advisory and non-binding.
 2. If another member of the body suspects an Elected or Appointed Town Official has a potential conflict of interest, the member may request a vote and the body shall vote on the question. Such vote shall be advisory and non-binding.
 3. Any member of the public may voice an objection to an Elected or Appointed Official’s participation and shall be recognized by the Chair or the Presiding Officer of the body. The member of the public shall set forth specific reasons for the conflict of interest, and may also request such a vote, but such a request shall be non-binding. Any such request or objection shall be made either prior to or at the commencement of the body’s discussion or public hearing on that matter, or at such later time as the facts claimed to warrant disqualification first become known.
- B. In all cases where a question of conflict of interest is raised:
1. No vote on disqualification shall be taken if the body’s official steps down voluntarily.
 2. The Chair or Presiding Officer of the meeting shall ensure that the reason(s) for recusal given by the Official, the member of the body, or a member of the public are clearly stated and are recorded into the minutes of the meeting.
 - (a) Members of the Planning Board and the Zoning Board of Adjustment are further bound by the provisions of NH RSA 673:14.

SECTION 20.12 – IMPROPER USE OF OFFICE

- A. Elected and Appointed Town Officials shall not use Town letterhead or stationery for any purpose other than official Town business. Under the Town Charter, official Town business is determined by formal action of the Town Council as a body and not by individual Town Councilors. Members of Boards, Committees, and Commissions may use Town letterhead and their Town-issued email address only for purposes approved by their respective Board, Committee, or Commission.
- B. Elected and Appointed Town Officials shall not speak on behalf of their respective Council, Board, Committee, or Commission unless authorized to do so by said Council, Board, Committee, or Commission. Individual members speaking publicly shall clearly state that they are speaking only as an individual and not on behalf of the Council, Board, Committee, or Commission.
- C. No member of the Town Council, nor any member of a Board, Committee, or Commission, shall appear before his or her own public body on behalf of the private interests of third parties.

SECTION 20.13 – PROCEDURE FOR REDRESS

- A. Boards, Committees, and Commissions are expected to govern themselves. If the situation cannot be resolved at that level, it may be brought to the Town Council for resolution. Complaints shall be addressed by the Town Council in accordance with the provisions of ADM-126.
- B. The Town Council shall consider compliance with this Ethics Policy during the reappointment process for members of Boards, Committees, and Commissions.

LEGISLATIVE HISTORY

Originally adopted by the Londonderry Town Council on January 21, 2008

Revision History: September 8, 2014; September 15, 2025

Repeal of Chapter XXIX of Title I on April 6, 2026

Adoption of Chapter 20 on April 6, 2026

APPENDIX A – Federal and State Statutory & Regulatory References

1. **Federal Regulations and Law**
 - a. 29 U.S.C. § 201 et seq.: Fair Labor Standards Act
 - b. 31 U.S.C. § 1352: Limitation on use of appropriated funds to influence certain federal contracting and financial transactions.
 - c. 2 CFR § 200.450: Lobbying.
 - d. 2 CFR § 1201.112 Conflict of Interest
 - e. 45 CFR Part 93: New Restrictions on Lobbying.
2. **State Laws:**
 - a. NH RSA 640 Corrupt Practices
 - b. NH RSA 643 Abuse of Office
 - c. NH RSA 659:44-a: Electioneering by Public Employees.
 - d. RSA 673:13 Removal of Members, Local Land Use Boards
 - e. NH RSA 673:14 Disqualification of Member
 - f. NH RSA 15:5: Prohibited Activities.
 - g. NH RSA 91-A: Access to Governmental Records and Meetings
 - h. NH RSA 95:1: Public Officials Barred from Certain Private Dealings.
 - i. NH RSA 98-E: Public Employee Freedom of Expression
 - j. NH RSA 31:39-a Conflict of Interest Ordinances
 - k. NH RSA 31:41-c Electioneering
 - l. NH RSA 49-C:33, I(c) Optional Provisions; Limitations
3. **Town Charter/Code/Policy**
 - a. ADM- 126 Complaints & Investigations Policy
 - b. Town Charter, Article 6, Conduct of Officials
 - c. Town Charter, Section 6.3 Disqualification from Decision Making Process
 - d. Town Charter, Section 6.4 Private Use of Town Property and Personnel
 - e. Town Charter, Section 6.7 Misuse of Information
 - f. Town Charter, Section 6.5 Acceptance of Gifts and Gratuities
 - g. Town Charter, Section 7.6 Recall of Officeholder
 - h. Municipal Code, Title VI, Chapter XXV, Fraud Policy
 - i. Municipal Code, Title VI, Chapter VI, Section X Ethics in Public Purchasing
 - j. Town Charter, Article 4, Town Manager
 - k. Town Charter, Section 6.2 Conflicts of Interest
 - l. Town Charter, Section 3.3 B. Removal of Councilors
4. **Guidance Documents:**
 - a. EPA's Lobbying and Litigation Information for Federal Grants.
https://www.epa.gov/grants/lobbying-and-litigation-information-federal-grants-cooperative-agreements-contracts-and?utm_source=chatgpt.com
 - b. HHS's Lobbying Restrictions on Grant Recipients. [Additional Requirement 12: Lobbying Restrictions | Grants | CDC](#)
 - c. ICMA Code of Ethics [ICMA Code of Ethics | icma.org](https://www.icma.org)

CHAPTER XXIX CODE OF ETHICS

SECTION I PURPOSE

The purpose of this code is to provide an educational tool and to establish guidelines and community expectations for the ethical standards of conduct for town officials, board members and employees. 11

- Town officials, board members and employees (defined as an elected town official, a volunteer appointed by the Town Council, and a person who is an employee of the Town, one who is paid for their service, but who is not an independent contractor - individually and collectively know hereafter as Community Officials) shall act in the best interest of the town. 10
- Community Officials shall remove themselves from decision making if they have a conflict of interest. (A conflict is when a Community Official votes or acts on a matter in which they have a direct, immediate and definite personal and pecuniary interest, which is capable of being demonstrated.) 1,8
- Community Officials shall be impartial, and responsible to the community in their actions. 10,11
- The town's official decisions and policies shall be made through the proper channels of government as established by the Town Charter and Ordinances, and State Statutes. 1,8
- Public office, a volunteer position or town employment shall not be used for personal gain. 1,7,8,9,10

This code establishes guidelines and expectations regarding potential ethical issues, and it establishes a course of action for bringing complaints.

SECTION II Town Nepotism Policy

- A. Public Officials and Boards: No person serving as an elected official, an elected or appointed member of any Town board or commission, or as Town Manager, shall participate in, appoint or vote on the appointment or hiring of any person in his/her immediate family to a position as a Town employee. If a prospective employee is a member of the immediate family of any elected official, elected or appointed member of any Town board or commission, or Town Manager, that elected official, elected or appointed member of any Town board or commission, or Town Manager, shall remove himself/herself completely from the appointment process. Compliance with this provision shall be a condition of holding office pursuant to Article 6 of the Town Charter.

- B. Employment of Family Members of Current Employees: Any job applicant seeking employment with the Town or applicant for an appointed position on a Town board or commission shall be required to disclose immediate family relationships with existing employees, elected officials, and appointed board or commission members.

No Town employee shall take part in the hiring process of any member of the employee's immediate family who is seeking employment with the Town. Additionally, except when necessary in the course of daily operations within a department, no Town employee shall evaluate, supervise, or discipline any member of the employee's immediate family who is currently an employee of the Town. If an employee has an immediate family member in his or her chain of command, except when necessary in the course of daily operations within a department, the immediate family member shall take no part in the evaluation, supervision or discipline of that employee, with those responsibilities to be performed by the next highest person in the chain of command.

- C. Town Councilors and Town Manager: To avoid any actual or perceived conflict of interest in the awarding of business and contracts with the Town, no person serving as a Town Councilor or Town Manager shall take part at any stage in any negotiations, or vote on any contract or agreement between the Town and any individual or entity in which he/she or his/her immediate family has any direct or indirect financial or gainful interest, however small. Compliance with this provision shall be a condition of holding office pursuant to Article 6 of the Town Charter.

- D. Immediate Family: “Immediate family” is defined for purposes of this policy to include spouse, civil union partner, children, parents, stepparents, stepchildren, brothers, sisters, half-brothers, half-sisters, immediate in-laws, grandparents, grandchildren, or other person living in the household of the prospective employee, Town employee, elected official, elected or appointed member of any Town board or commission, or Town Manager.
- E. Effective Date: The provisions of this policy shall become effective on passage by the Town Council and shall apply to all those elected, appointed or employed in any capacity by the Town after date of passage. The Town Manager shall take appropriate measures to limit the circumstances under which employees are supervised by members of their immediate family. To the extent such conflicts cannot be avoided, the Town Manager shall review and approve any performance evaluations, disciplinary actions, or changes in job status in order to assure that the public’s interests are served.

SECTION III CODE PROVISIONS

A. No Conflicts of Interest

Community Officials of the Town shall avoid conflicts of interest. In such instances, you shall recuse yourself from discussion and decision-making. (Recusal means to remove yourself completely from all further participation in the matter in question.) 1,8

Community Officials or members of their families having professions outside their relationship with the Town that routinely do business with the Town of Londonderry shall not be awarded any work, of any value, except that it be done through a complete and open competitive procurement process. (Family is defined as a Community Official’s lineal ascendants, lineal descendants, adoptions, siblings and offspring, a Community Official’s spouse, the spouse’s lineal ascendants, lineal descendants, adoptions, siblings and offspring, members of the same household, and participants in a Civil Union as defined under RSA 457-A.) 2,8,9

CHAPTER XXIX CODE OF ETHICS (Cont'd.)

SECTION III CODE PROVISIONS (cont'd.)

B. A Duty to Recuse in Quasi-Judicial Actions

A "quasi-judicial action" is any action where the board or committee you are a member of is acting like a judge or a jury. For example, when your board or committee has a duty to notify the potential parties, hear the parties, and can only decide on the matter after weighing and considering such evidence and arguments as the parties choose to lay before you, you are involved in a quasi-judicial action. The work of the planning and zoning boards is largely quasi-judicial. Community Officials are expected to recuse themselves if a conflict exists or if they believe they cannot for any reason be totally fair and impartial.

1,9

C. A Duty to Disclose

As a Community Official, you shall make full disclosure and not participate in the conduct of business on behalf of the town or enter into discussion or deliberation of any matter if you have a financial interest, direct or indirect, in any planned or existing contract, job, work or service to be performed for the Town or voluntary sale to the Town of any land, materials, supplies, equipment or other property.¹⁴

D. No Unfair Personal Use of Town Property

No Community Official shall use town property, services, or labor personally, or make the same available to others *unless* such use is available to other residents upon request on equal terms. ^{3,7,8}

E. No Misuse of Confidential Information

No Community Official shall use any confidential information acquired by virtue of that individual's official position for personal benefit, or for the benefit of any other person or business. This does not apply to information which is readily available to the general public. ^{4,8,10}

CHAPTER XXIX CODE OF ETHICS (Cont'd.)

SECTION III CODE PROVISIONS (cont'd.)

F. No Improper Gifts

No Community Official shall accept a gift (or allow acceptance of such gift by a family member) from any individual, group, or corporation which has *or is likely to have* a matter pending before the employee, board, committee, or commission on which the Community Official serves. (This provision of the code is not meant to apply to gifts traditionally exchanged between family members, or for those gifts normally exchanged during the holiday season with a value of less than \$25.00.) 5,8,9

G. A Duty to Cooperate

All Community Officials shall cooperate with the Appointing Authority regarding any complaint or inquiry alleging violation of this Code of Ethics.

SECTION IV REPORTING PROCESS

Any resident of the Town who believes that a Community Official has violated this Ordinance may report the alleged violation to the Community Official's Appointing Authority using the attached form. The Appointing Authority is:

- A. For all employees, the Town Manager 13
- B. For the Town Manager, the Town Council 13
- C. For all appointed board, committee and commission members, the Town Council 12
- D. For a member of an Elected Body, the Elected Body on which the member serves. An elected body, other than the Town Council¹⁵, has no disciplinary authority over the actions of its individual members. Citizens, however may utilize Section 7.6 of the Town Charter, Recall of Officeholders. 6

The Appointing Authority shall investigate alleged violations and act as appropriate within the procedures established within state statute, the Town's Personnel Policy and/or Collective Bargaining Agreements.

CHAPTER XXIX CODE OF ETHICS (Cont'd.)

SECTION V DISTRIBUTION

This Ordinance shall be made available to all Community Officials upon their submittal of a letter of interest to serve the community or filing for elective office. Upon election or appointment, the Community Official shall then sign a form acknowledging receipt of same. At least annually, the Town Council shall schedule sessions with Community Officials to review this Ordinance.

SECTION VI EXCLUSIONS

The provisions of this Code of Ethics shall not be interpreted so as to prevent:

- A. Any Community Official who is a resident of the Town of Londonderry from fully participating in any Town Meeting;
- B. Acceptance of donations for the expressed purpose of financing a political campaign, provided such contributions are reported in accordance with all state and federal laws which pertain to such donations; 9
- C. Participation in a matter which relates to a person or business from which a Community Official has merely purchased goods or services, if the individual in question has no other conflict of interest relating to that person or business;
- D. Police officers, fire fighters, and other emergency personnel from acting in the course of their official capacities when responding to emergencies in accordance with the rules and regulations of their departments; and,
- E. Supervisors of Town employees from appropriately carrying out personnel policies.
- F. Any Community Official who provides volunteer services to a charitable organization from participating in a matter which involves an individual who may have made a contribution to that charitable organization. (Adopted 09-15-08)

Employees and volunteers under the direction of the Leach Library Board of Library Trustees, and Community Officials elected, hired or appointed by the Londonderry School District, School Board and/or Superintendent are not subject to the provisions of this code.

This Code is adopted pursuant to RSA 31:39-a; which requires that affected officers and employees shall be exempt from the provisions of this Ordinance. The exemption shall be for a period no less than one year. As all of this Code's provisions are rooted in current state statutes or current local ordinance, this provision does not allow community officials to rely upon the exemption and disregard the underlying regulation.

CHAPTER XXIX CODE OF ETHICS (Cont'd.)

Annotations:

1. **Town Charter, Article 6, Conduct of Officials**
2. **Town Charter, Section 6.3 Disqualification from Decision Making Process**
3. **Town Charter, Section 6.4 Private Use of Town Property and Personnel**
4. **Town Charter, Section 6.7 Misuse of Information**
5. **Town Charter, Section 6.5 Acceptance of Gifts and Gratuities**
6. **Town Charter, Section 7.6 Recall of Officeholder**
7. **ADM-927 Fraud Policy**
8. **ADM-901 Purchasing Policy**
9. **RSA 640 Corrupt Practices**
10. **RSA 643 Abuse of Office**
11. **RSA 31:39-a, Conflict of Interest Ordinance**
12. **RSA 673:13 Removal of Members, Local Land Use Boards**
13. **Town Charter, Article 4, Town Manager**
14. **Town Charter, Section 6.2 Conflicts of Interest**
15. **Town Charter, Section 3.3 B. Removal of Councilors**

REVISED	DATE
Ordinance 2014-04	09/08/2014
Ordinance 2025-09	09/15/2025

TOWN OF LONDONDERRY
CHAPTER XXVI CODE OF ETHICS
COMPLAINT FORM

Please complete this form legibly and in as much detail as possible. Additional pages may be added:

Your Name: _____

Address: _____

Phone (Daytime): _____ (Evening): _____

Person(s) against whom this complaint is made:

_____ (Department/Board/Committee): _____

_____ (Department/Board/Committee): _____

Description of the complaint in detail:

(Use more paper and attach, if necessary.)

With my signature, I declare that the statements made above are accurate and truthful to the best of my knowledge.

Signature Date

Completed forms should be sealed and delivered to the Town Manager's Office. If the complaint involves a Town Employee, the envelope should be addressed to the Town Manager; if about the Town Manager or an appointed Board or Commission member, please address to Chair, Town Council. If the complaint involves an elected official, please address to Chair or Vice Chair of that elected body (e.g. Town Council, Budget Committee, etc.).

**Londonderry Town Council Meeting
Monday, March 2, 2026, 7:00 p.m.
Moose Hill Council Chambers**

Meeting Link: <https://www.youtube.com/live/K4n1w5TKz9I?si=nd0AKT--Kk3CsXku>

Council Members Present: Chair Ron Dunn; Vice Chair Shawn Faber; Councilors Dan Bouchard, Deb Paul, Ted Combes

Council Members Absent: None

Other Staff Present: Town Manager Shaun Mulholland; Deputy Town Manager Kellie Caron; Administrative Services Director Kirsten Hildonen; John Trottier, Director of Engineering and Environmental Services

A. CALL TO ORDER

Chair Dunn called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Councilor Bouchard asked for a moment of silence for the men and women in active service today and for those who have been lost.

B. PUBLIC COMMENT

Introduction of the new Cyber Services Director, Jeremy Spaulding

Town Manager Mulholland introduced Jeremy Spaulding, the new Cyber Services Director.

Chair Dunn opened public comment.

Name: Joe Stelmach

Address: not given

Mr. Stelmach introduced himself as a write-in candidate for Trustee of the Trust Funds and offered information on his background and qualifications.

John Wilson, Senior Resources Committee, expressed concern that the title of Warrant Article 22 does not clearly depict the intention of the Article, which is to provide transportation for seniors. He is concerned the bill may not pass due to voter confusion. Vice Chair Faber explained the title is vague because the possible use of the funds is broad.

A resident expressed concern about the Petition Warrant Article regarding red flag laws.

Name: Matt Tapley

Address: not given

Mr. Tapley introduced himself as a candidate for a three-year term on the Budget Committee. He offered information on his background and qualifications.

47 **Name:** Ken Batcher (sp)

48 **Address:** not given

49 Mr. Batcher (sp) introduced himself as a candidate for the School Board. He offered
50 information on his background and qualifications.

51
52 **Joseph Gagnon**, Chairman of the Budget Committee, spoke to the Budget Committee working
53 successfully with the Council, the Library Trustees, the School Board, and the citizens of the
54 Town. He expressed concern about a comment made by Councilor Bouchard that the Budget
55 Committee was being controlled and not being allowed to give the Council information
56 regarding the budget, and asked Councilor Bouchard who was doing this. Councilor Bouchard
57 said he did not receive information he requested from the Budget Committee. Mr. Gagnon said
58 he sent Councilor Bouchard the information. Councilor Bouchard acknowledged receiving it
59 after he made a second request.

60
61 **Name:** Jan McLaughlin
62 **Address:** 38 Rainbow Drive
63 Ms. McLaughlin asked that everyone work together to make Londonderry a community where
64 people help and support each other.

65
66 Chair Dunn closed public comment.

67
68 **C. BOARD APPOINTMENTS AND REAPPOINTMENTS**

69 Larry Casey, Chair of the Londonderry Arts Council, asked the Town Council to appoint Paige
70 Williams and Cyndi Peterson as full voting members to the Londonderry Arts Council. He
71 provided information on their backgrounds and their contributions to the Arts Council.

72
73 *Councilor Bouchard moved to appoint Paige Williams and Cyndi Peterson as full voting*
74 *members of the Londonderry Arts Council. Seconded by Councilor Combes. Motion carried*
75 *5-0-0. Chair votes in the affirmative.*

76
77 **D. PUBLIC HEARINGS**

78
79 **1. Receive public input, discuss and act upon rescinding the Municipal Code Title IV**
80 **- Public Health, Safety, Welfare, Chapter X Emergency Management Plan**

81 Ms. Hildonen explained this is an operational plan tied to the Town's ability to receive
82 state and federal funding for emergency management and disaster planning. This chapter
83 does not belong in the Code, so needs to be removed and placed elsewhere.

84
85 *Councilor Combes moved to open the public hearing. Seconded by Councilor*
86 *Bouchard. Motion carried 5-0-0. Chair votes in the affirmative.*

87
88 Chair Dunn asked for public comment; there was none.

89
90 *Councilor Combes moved to close the public hearing. Seconded by Vice Chair Faber.*
91 *Motion carried 5-0-0. Chair votes in the affirmative.*

92

93 *Vice Chair Faber moved that the Londonderry Town Council hereby repeals Chapter*
94 *X, of Title IV of the Municipal Code, entitled Emergency Management Plan. Seconded*
95 *by Councilor Bouchard. Motion carried 5-0-0. Chair votes in the affirmative.*
96

97 **E. NEW BUSINESS**
98

- 99 **1. Receive a presentation from the Recreation Department and Londonderry Restore**
100 **the Recs Foundation regarding a proposed basketball court renovation project.**

101 Members of the Restore the Recs Foundation offered a proposal to replace the hoops and
102 restore the two courts on Nelson Road to provide a safer location for residents to play
103 basketball. This will include the surrounding landscaping and fencing. They reviewed
104 fundraising efforts and donations made to help achieve their financial goal, and the
105 timeline for this project.
106

107 The Council thanked the individuals for their work on this project.
108

- 109 **2. Discuss and authorize the Town Manager to negotiate and execute an easement for**
110 **part of the property known as the Auburn Road Landfill Site (Map 016, Lot 023) to**
111 **allow the Town of Derry to site and operate a water pumping station.**

112 Director Trottier presented this request, reviewing the progress made on this proposal
113 sine it was presented to the Council in August 2025. The pumping station will be located
114 on an uncontaminated portion of the Auburn Road landfill property. The easement is
115 requested to allow for construction, operation, and maintenance of the booster pump
116 station and the access road. Construction is intended to occur in 2026.
117

118 The Council asked clarifying questions.
119

120 *Vice Chair Faber moved that the Londonderry Town Council hereby authorizes the*
121 *Town Manager to negotiate and execute an easement agreement and recordable deed*
122 *granting to the Town of Derry an Easement to construct, operate and maintain a water*
123 *booster pump station on Town of Londonderry owned property identified as Tax Map*
124 *16 Lot 23-0. Seconded by Councilor Combes. Motion carried 5-0-0. Chair votes in the*
125 *affirmative.*
126

- 127 **3. Discuss and authorize the Town Manager to negotiate and execute the sale of**
128 **property for the PurposeEnergy project.**

129 Ms. Caron explained this is related to the proposed Southern New Hampshire Green
130 Energy Campus at Map 14, Lot 39-2 in the area of North Wentworth Avenue. Approval
131 of this project is conditioned upon acquiring a fee interest in Town-owned right-of-way
132 land to allow for the construction of a driveway and utilities to serve the Campus. The
133 proposed sale price is \$7,500, which has been confirmed through the Town's Assessing
134 Department.
135

136 *Councilor Bouchard moved that the Londonderry Town Council hereby authorize the*
137 *Town Manager to negotiate and execute a sale and recordable deed for PurposeEnergy*
138 *to allow for construction of driveway and utilities to serve the proposed site. Seconded*

139 *by Councilor Combes. Motion carried 5-0-0. Chair votes in the affirmative.*

140

141 **F. OLD BUSINESS**

142 None

143

144 **G. APPROVAL OF CONSENT ITEMS**

- 145 **1. Town Council meeting minutes from February 5, 2026**
- 146 **2. Town Council meeting minutes from February 17, 2026**
- 147 **3. Timber Tax Bill**
- 148 **4. Land Use Change Tax Bill**
- 149 **5. Supplemental Sewer Warrant from February 17, 2026**

150

151 *Councilor Bouchard moved to approve the Consent items. Seconded by Councilor Combes.*
152 *Motion carried 5-0-0. Chair votes in the affirmative.*

153

154 **6. Non-Public Minutes**

155

156 Corrections: Vice Chair Faber was not at this meeting. Councilor Combes name was spelled
157 incorrectly.

158

159 *Councilor Combes moved to approve the non-public minutes as amended. Seconded by*
160 *Councilor Bouchard. Motion carried 4-0-1. Chair votes in the affirmative.*

161

162 **H. OTHER BUSINESS**

163 **1. Liaison Reports**

164 Councilor Bouchard read an update on the work being done at the Library from Donna
165 Plante, Assistant Library Director.

166

167 Councilor Combes reported Airport Director Tom Malafronte plans to offer a presentation
168 to the Council later in March or in April. The Heritage Commission discussed their new
169 rules and procedures.

170

171 **2. Town Manager Report**

172 Assistant Library Director Plante explained that more extensive mold testing is needed,
173 the cost of which was not included in the original scope. She reviewed a change order
174 from ReArch for an additional \$25,613.

175

176 Town Manager Mulholland noted the HVAC units will need to be replaced as part of the
177 process to make the building operational again. He pointed out the fixed asset management
178 plan will be important moving forward to track issues in Town buildings.

179

180 **3. Deputy Town Manager Report**

181 Ms. Caron reported the public hearing for the formal adoption of the Master Plan will be
182 held at the Planning Board meeting on March 4th.

183

184 **I. PUBLIC COMMENT**

185 Chair Dunn opened public comment; there was none.

186 Chair Dunn closed public comment.

187

188 **J. MEETING SCHEDULE**

189 • March 16, 2026, Moose Hill Council Chambers, 7:00 p.m.

190 • April 6, 2026, Moose Hill Council Chambers, 7:00 p.m.

191

192 **K. ADJOURNMENT**

193

194 *Councilor Bouchard moved to adjourn the meeting. Seconded by Councilor Combes. Motion*
195 *carried 5-0-0. Chair votes in the affirmative.*

196

197 The meeting was adjourned at 8:17 p.m.

198

199 *Minutes prepared by Beth Haggeli*